DISCOVRSES OF VVARRE AND single Combat,

Translated out of French by I. Eliot.

BIBLIOTHECA BODLEIANA

LONDON

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TO THE RIGHT HONORABLE LORD, THE LORD ROBART, EARLE OF ESSEX and Ewe, Vicount of Hereford and Bourchier, Lord Ferrers of Chartley, Bourchier and Louaine, Maister of the Queenes Maiesties Horse, and one of the Knightes of the most Honorable order of the Garter.

Iohn Eliote wisheth all encrease of Honour and Vertue.

I Am not ignorant (Right Honorable) that diuers famous Captaines, braue men, and renowmed Martialistes, some strangers, and some of our owne Nation also haue largely and learnedly discoursed of warre, like expert souldiars and men of great skil and sufficient knowledge in the conduct of armes & pollicie of martiall discipline. Neuertheless, I haue presumed to present vnto your Lo. these discourses of Warre and Single Combat, written lately by a French gentleman, and by him dedicated to no worse personage, then to the Maiestie of the most christian King: and now by mee translated, because I sawe them to be by the Author excellently handled, containing matter most godly worth the reading of all Christian souldiars, setting downe the an-

cient rules of warre, grounded on Gods holy word, seeking reformation of sundrie abuses committed by those of militarie profession, discussing besides many matters vndiscussed by anie that euer haue written of the same subiect, and now as fit to be perused as patronized by some magnanimous Martialist of our own Countrie. It may please you then (Right Ho.) to reade these Treatises in a rude stile, & shew them your fauourable countinance, that they maie passe to the view of all valiant warriours (in whose number our countrie counteth your Lo. formost for your forwardly indeuours and approoued magnanimitie.) In which honorable resolution of minde, wherewith God hath endewed you euer from your tender yeares, the Almightiest with his most holie protection continue, conduct and blesse your good Lo. to the encouragement of all noble harts your countriemen, who shall follow your foodsteps in warlike attemptes, to your Lo. worthie fame and renowne, the credit of your countrie, and the manifolde increase of all honorable vertues, which shall neuer decay in your name, but bee eternized and remaine in the memorie of men for euer.

The Authors Epistle Dedicatorie to the most Christian King of France and Navarre, &c.

I Feare not (most Christian and mightie King) that Archidamus come to cast me in teeth, as vpon a time he did Periander, for that he contemned the fame of a skilfull Phisition, to be saluted by the name of a paltrie Poet. But as for mee, I am no good Phisition: I meane, I am not excellent in the profession that I vse: and I feare mee, Apelles will serue me, as he serued the sawcy shoomaker, that found fault with his picture, and bid me with his Ne sutor vltra crepidam: medle with mine owne art, and let other mens mysteries alone. I can answere Apelles well ynough, that in my Discourses I haue not gone beyonde my profession: for I take not vpon me to make my selfe as wise a Captaine, as was Cæsar, Pompey, Alexander, or Epaminondas: nor I teach not how a man at armes should bee equipped, and harneshed to the warre, how well fortifyed, or how feeble euerie place of defence ought to be esteemed by the counterpoise of forces that assaile: what number of men ought to be in an army, how many should be harquebuziers, how manie pikemen, how manie horsemen, how a Fortresse or a Cittie should be assieged or defended, how a battell ought to be ranged and set in order, how an assault may be giuen,

or sustained, how an ambush may be laied, and how a skirmish should be made, or how to performe other exploits of warre: all these thinges are besides my purpose, and left vnto those that make absolute profession of Armes, who haue written and spoken like men of knowledge, well sciented, and experienced. The rules that I set downe, touch simplie the conscience, and shew how it is expedient that euerie man march vprightly according to the ancient pollicie of militarie profession, set downe vnto vs in the word of God. Hauing finished this litle discourse of Warre, I haue thought it not impertinent to penne an other litle Treatise of Combat, the which I haue ioyned to the other, for that the abuse is most commonlie practised in time of warre, and ought necessarily to be reformed. For if two haue anie quarrell or difference betweene them, they must trie and end it by the combat, all iustice troden vnder foot. If he be a gentleman of a companie, a man at armes, yea but a single souldier, he must not pocket vp the least looking in the face awrie, the lye giuen, or the least iniurie that is, but he must craue reuenge, to the field they must man to man, to trie their manhod, or else his honour and reputation is lost, and hee is counted but a coward and a dastard. By this meane: it commeth to passe daily that we haue so manie murders and manslaughters committed in time of warre, what by the furious and outragious mindes of some men, who seeke nothing but quarrelling and sighting: and what by the nonchallancie and negligence of Captaines and chiefe leaders, that take no order for the reformation of this excessiue riot in good time: so manie that be seruiceable to Prince and Countrey, vpon a brauerie lose their liues: and when they are slaine, it is to late to raise the dead againe. These are the motiues, most redoubted Sir, that perswaded me to write these discourses.

of

of Warre and Combat, the which I cannot dedicate to any other Prince, but onely to your maiestie. For hauing this honour to be yours and no mans elſe, the beneſite of all that I am able to do, belongeth to you onely by good right. And ſeeing that the mightieſt hath created and elected you to be Gardian and defender of his Church: and that beſides from your tender yeares vpwards you haue had the warres ſtill on your ſhoulders, I could find no other Prince that manageth armes daily, fitter and more worthie of this ſubiect, then your Maiesty. Receiue then moſt Christian King (if it pleaſe you) theſe two ſmall Treatiſes to your royall protection, and ſhew them your gracious fauour, that vnder your authoritie they may ſee the light, and preſent themſelues boldly to the view and handling of all good Chriſtians, carrying in their foreheads the title and inſcription of your ſacred Maieſtie. The which, Sir, I beſeech the God of Heauen to haue alwaies in his moſt ſafe and holy keeping. From Caſtel-geloux the 5 of October 1590.

Your moſt humble, moſt faithfull, and moſt obedient ſeruant

B. de Loque.

B. de Lepre.

A Discourse of VVarre.

Chapter 1.

Whether it bee lawfull for a Christian Prince, or Magistrate to make warre.

ALl men are not of opinion, that the Christian Prince, or ciuill Magistrate may warre with a safe conscience against the enemyes of his estate, or of the Church. But I hold the contrary, and I proue it by fiue reasons.

The first reason is, because God hath so expressly commaunded. And the Lord spake vnto Moyses, saying: Auenge the children of Israell vppon the Madianites, and afterward thou shalt bee brought againe to thy people; then spake Moyses vnto the people saying: arme some of you vnto the warre, and set vpon Madian, and auenge the quarrel of the Lord vppon him. You shall send to the warre a thousand of euery Tribe, out of euery Tribe of Israell, &c. I Num. 31.1.

The second reason is, because God himselfe hath at sundry times counselled, and taught his seruantes, how they ought to gouerne themselues in warre. Deut. 20.1. & 23.14. 2 Chr. 20.16. II

The third reason is, because God himselfe in holy writ is called the God of Hostes: and the Lord God of battels. Likewise, that iust warres are called the battels of God. III. Exod. 15.3. 2 Chr. 20. 16.

The fourth reason is, because many Kinges and Princes IIII.

are highly commended in holy writt, for that they had warred
Gen.14. valiantly against their enemies. Abraham with a little band
14. of men warred against some tirannous kinges, whom he discomfited, and so by that meanes recouered his cousin Lot, and all his wiues, seruantes, goods and cattels, that they had taken from him in pillage, thanking God the giuer of so great a victory.

Moyses and Iosua haue so holy pursued the warres, and
Nom 31.1. in so good earnest, that without any comparison in courage
Ios. 1. 2. 3. and valoure there haue neuer bin found any able to encounter
&c. them.

Ionathan sonne of King Saul was a mighty and valiant
1 Sam.14.1. Captaine, and a man fearing God, as signally he shewed by the great ouerthrow he gaue to the Philistines.

Ios 7. Gedeon hath bin a man not of the least renowme for warrtiall affaires.

But amongst the most famous warriers that euer were,
2 Sa. 5.20. & 8, 5. &c. Dauid hath bin one of the most excellent and most remarqueable: he laboured in warre the Philistines, the Syrians, and many other nations and peoples.

V. The fift reason is, because Iesus Christ and his Disciples haue allowed the warre. Marcion affirmed that in the newe Allyance, that is to say, in the Gospell, all warres are prohibited, and that it is not lawfull for any Christian to wage warre,
Mat.26,52 because our Sauiour Christ said vnto S. Peter: Put vp thy sword into thy sheath: for whosoeuer shall smite with the sword, shall perish with the sword. But I answere, that this saying of our Sauiour is to be vnderstood of particular seruice, as by and by we will declare more at large. For as touching the rest that Iesus and his Disciples, haue at no time prohibited lawfull and iust warres, it appeareth by these
Luk.7.8. places of holy Scriptures. The Centurion sayd vnto Iesus Christ: I am a man set vnder the power of another man, and I haue vnder me Soldiers, and I say vnto one goe, and he goeth: and to another come, and he commeth. To whom Christ answered not, that he should forsake and leaue quite all warfaring: but commending him, he sayd to the multitude

that

that followed him; I say vnto you, I haue not found so great fayth not in Israell.

The Souldiers demaunded Iohn Baptist, saying; and we, what shall we doe? Iohn said not vnto them: lay downe your armes, forsake this warfaring, for it displeaseth God: but he told them plainly what they should do. Hurt no man, neither trouble any man wrongfully, and be content with your wages. Luk. 3.14.

Saint Peter baptised Cornelius the Centurion of the band of Italians, who was the first fruites of the Gentils: and neuer exhorted him to leaue his charge. Act. 10.

The Apostle to the Heb. praiseth these captaines and guides of warre, who by faith haue encountered with forces of forraine kingdomes, and haue behaued themselues valiantly in fight repulsing strangers entroching on their territories. Heb. 11, 33.

The first reason is grounded on the law of armes, and the lawfull vse of the sword: for the Prince beareth not the sword in vaine, saith S. Paul, because he is the seruant of God, for the safegard of the good, and the punishment of the wicked. VI. Rom. 13.4.

Now if it be lawfull for a prince to punish a small number of offenders, by a small number of his seruants and officers: why shall it not be lawfull for him, to punish a multitude by a greater number, when necessity shall vge him thereunto?

It is then apparant by these fiue reasons, which I haue alledged, that it is lawfull for christian Princes and Magistrates to wage warre when necessity shall require. And that which the Anabaptistes reply to the contrary, is most frinolous and of no force. Say they, it is written in the law of God, Thou shalt not kill: and in the Gospell. Resist not euill. And so likewise Christ said to saint Peter. Put vp thy sword into thy sheath: for whosoeuer shall smite with the sworde, shall perish with the sword. I answere by these wordes of our Sauiour, priuate reuenge is forbidden, and not publike reuenge, which is executed by the magistrat, according to law, by the commaundement of God. For sithens priuate men haue not receaued the sword from God, if they take it in hand to vse it, and strike, hauing no authority from their superiour, they Exo. 20. Mat. 5. 39. Mat. 26. 52.

L.1.C. de Seditiosis. are *ipso facto* seditious persons, for so saith the Law, albeit the cause seeme iust. But when the Prince deliuereth ouer the sword, which God hath giuen into his hand to dispose, it is an other thing. For if he cause the offender to die, be it vppon a gibbet by sentence of a Iudge, be it in warres, it is not he, to speake properly, who doth this execution, but it is God himselfe who doth it, by the sword which he hath committed into his handes, as vnto his Lieuetenant, and that according to law and right. Prouided nevertheless, that the prince or magistrate execute iustice, as becommeth the seruant of God, without any priuate grudge or pretence of reuenge. For so he himselfe should also be a murtherer, and should transgresse the commaundement of God. Now let vs proceede to declare the causes of warre.

Chapter 2.

Of the causes that may moue a christian Prince or Magistrate to make warre.

SEe first that thou haue perfect knowledge of that which thou doest enterprise (said Bias one of the 7. sages) and then put thyselfe in practise to effect it. And indeed a man ought not to vndertake any action vnlesse good and lawfull occasions moue him thereunto: otherwise God breatheth out his anger vpon the action, and giueth it his malediction. If then christian princes or magistrates will vndertake warre vpon some hope conceiued of good successe, the causes thereof must be set downe before hand to be iust and lawfull. The causes then are two
1. Cause. that may moue vnto warre. One, that respecteth the goods of this world, and the naturall life of man: and this is of two sortes.

First when it commeth to the point of repulsing the violences and iniury of tyrants that giue the onset: for if it cannot bee

denied

denyed, but by the lawe of God and man it is tollerable for innocency to defend it selfe by some meanes when it is iniuried & outraged, and that nature hath not in vaine grafted in the hartes of all liuing creatures a desire to preserue and maintaine their liues and goods: who will then deny that it is lawfull for a Prince to take armes and to goe to the field to defend his estate, and to kepe his subiects from the fury of the inuaders? Moyses giueth a very good example hereof, fighting against the Canaanears, and against Ogg the king of Basan, who had assailed the Israelites. Cic. 2. Of. Nom. 21.1. 21. & 33.

King Iosaphat giueth vs also an example, giuing battell against the Ammonites and the Moabites, who were illued out to set vpon him. 2.Chr.20.1.

Dauid left vs also a notable example, repulsing the Syrians which warred on him. And his owne sonne Absalom, who was vp in armes against him with his men of warre, by the aduise and counsaile of Achitophel. 2.Sam.10. 18. 2.Sam.30.1

But best worthy to be marked is this: Dauid hearing and knowing that the Amalechites had burned Siceleg, and taken his wiues that were there prisoners away with them, asked counsaile of the Lord, if he should pursue the army of the Amalechites: And the Lord answered him that he should, and he tooke foure hundred men with him, and so pursued his enemies, till at the last he vanquished and discomfited them, and recouered all that they had carryed away before. 1.Sam.30.1

Secondly, when it commeth to the pinch of reliefing those that are allyed and haue concluded some league of amity with vs being wrongfully oppressed. For Christian Princes may conclude allyance with their next neighbour Nations, so that nothing bee done against the honor of God. Some one will say, that the bornes and iurisdictions are diffuct, and that it is against all right to inuade one another.

I answere that indeed it is ill done to incroch one vpon another, when inuasion is pretended to each others territories (and as did the Arbitratour of whom Cicero maketh mention) to appropriat to himselfe that, which is yet in controuersie. But here the case standeth otherwise, when it commeth to the Off.1.

peth, to invade and encroach vpon others, to defend the right of those that are alliances and confederate vnto vs.

Ios.10.1. So it was that Iosuah hauing concluded a peace, and hauing alliances with the Gabaonits, gaue them aid against the fiue Kings, which warred vpon them, in so much that hee raised the siege from before Gabaon, and discomfited the fiue Kings.

1 Sam.11.1. So it was that Saul relieued the towne of Iabes assieged by Naas the Ammonite, a most cruell and tyrannous Prince: in so much, that Saul carried along thether by the spirit of God, caused the siege to bee raised, and put to flight all the Ammonites.

Gen.14.14 So it was that Abraham, the father of the faithfull, caused three hundred and eighteene of his owne seruantes borne in his owne house, to be armed and set in order to fight to aid his neighbor Lote, and to take him by force out of the handes of his enemies, who had taken him prisoner, and carried him and all his substance away with them.

2 a cause. The second cause why christian Princes may warre, concerneth Religion: for they decree themselues, that no warre may be taken for the maintenance of Christian Religion. True it is, that the Church doth not vse to bee too forwards and ouerhasty in taking armes: but so it is, that it may iustly bee defended and preserued by the meanes of armes. Then it followeth, that Princes and christian magistrates may leuie warre against Apostataes, that fall from the faith.

Deut 13. There is an expresse commaundement giuen from God, touching this, that what towne soeuer shall reuolt from him and from his seruice, shalbe assailed by warre, and if it continue rebell and obstinate, then to be rased. But in the third chapter wee will throughly discusse this point, and shew how far Christian Princes and magistrates may constraine their heretical subiectes by lawfull warre.

Secondly, christian Princes may warre for the defence of the Church, when a Prince being enemie of God, and an Idolater would offer violence & oppresse it, to the end to establish

a sained religion, and to suppresse the truth. For God hath gi-
uen it them in charge, and made a couenant with them, co-
ioyning them to maintaine it, and to haue great care there-
of, and not onely of some particular members: but of all
the whole and entier bodie thereof. For it is but one called by
the name of Catholike or vniuersall: as also in old time there
was in Ierusalem, but one temple, a figure and tipe of the
same Church.

When christian kinges are consecrated they promise and
sweare solemnly, faithfully to protect this Church, and to em-
ploy the temporall sword which is there giuen them for the
safegard and defence thereof. And for the same effect hauing the
same sword in their handes, they turne themselues to the foure
corners of the world: to wearde the East, the VVest, the North
and South, there vowing solemnly to performe the sayd pro-
mis. By which ceremonie they vse to signifie, that they take
there into their protection and safegard the vniuersal Church,
for as much as in them lyeth to do, against all those that would
vndertake to assaile and oppresse the same. This is to be vn-
derstood of the true Church, *nonobstant* the abuse vsed vnder
the popish empire.

Also all Kinges and christian Princes are, or ought to bee
members of this Church. Therefore they haue this interest
therein, so that they are bound in conscience to preserue it safe
and in good estate, and to keepe it from all danger. The pilote
that is on the sea in his ship, ought to stand in feare of ship-
wracke, because he is in ieopardy as well as the rest. The gu-
uernour of a Citty ought to feare the surprising of the same,
because he is in as great danger as the rest of the citizens. So
christian Kinges and Princes, and all Magistrates honoured
for the true knowledge of God, ought greatly to feare the ru-
ine of the Church of God, for if it be ruined, with it they must
needes be ruined also.

But especially they ought to vphold it, because they are the Isa. 49.23.
tutors and gardians thereof: because they are the seruantes Rom.13.4
of God: because the two tables of the law haue bin deliuered Deut.17.
into their handes, because that to them belongeth the care, not 19.
1. Tim. 2.4.

onely of the honest demeanour thereof, but also of the zeale & godlines, as saith the holy scripture.

Agg. 2. When ye prophet Aggeus exhorteth the Iewes, after their comming backe from Babilon, to reedify the Temple of God, he compelleth not himselfe onely to the people and to their priestes, but also unto Zorobabell the chiefe ruler of Iuda: which sheweth evidently that not onely private men and ministers ought to do, as much as lyeth in them, for the edifying and preserving of the Church, but also all christian princes & magistrates whatsoever. The private men for their part ought to take heede, that they be true members of this church. The ministers, that they exhort both private men and magistrates truely and sincerely to do their duty. The magistrates, that they endevour to helpe and stay the ruine and corruption of the church, and to make it safe from all iniurie, both within and without: not in establishing of lawes contrary to the lawe of God: but in making every one to receave the lawe of God, and maintaining it boldly against all the errours of false prophets, and against the violence of infidell and tyrannous princes.

Nehe. 4. At the building of the Temple by the ordinance of the Elders, and by their conduct, one part of the people carried mortar, and the other part carried weapons, and some in one hande carried trebels, and in the other hand they carryed a sword, to the end if their enemies came to disturbe them at their worke, they might be prouided for them, to chase them away.

Ios. 22, 10. The ten tribes under the conduct of Iosua overthrew the Rubenites with their companions, of the tribes of Gad, and Manasses, because they had erected an altar against the lawe of God.

1 Mac. 1 83 & 3. 1. Iudas Machabæus fought against the armie of Antiochus, who would offer violence, and thrust downe the religion of the Iewes (which then was the true religion) and compell them to receave the religion of the Pagans.

Euse. l. 9. c. 8 de histor Eccles. Eusebius recyteth an history of the Armenians, who being compelled by the emperour Maximinus to change the form

&

forme of christian religion into idolatrie, became of his friends his mortal enemies: of a people before in league of amity with him, his capitall aduersaries: so that to defend themselues with strong hand against his wicked ordinances, they both warred fore vppon him, charged him hardly; and pursued him in fight very neere.

The same Eusebius writeth, that Constantine the great, and Licinius (brethren in law) and copartners in the Empire; Licinius commaunding in the East, and Constantine in the West, neither of them hauing any authority ouer the other: at the length Licinius raised a great persecution against the Christians in his dominion, disturbing the exercice of their religion, banishing them out of all partes, putting many of them to death, with many kindes of barbarous cruelty, til Constantine set vppon him, and made open warre vppon him so long, till at the last he was forced to moderate himselfe; and to accord vnto christians the free exercice of their religion. Which thing Licinius hauing confirmed by solemne promise, after a short space returned to barbarousnes againe, and as before (against his faith and promise) did begin to persecute christians fiercely. Wherefore Constantine set vppon him againe, pursued him, toke him, and caused him to be slaine by his owne soldiers in the towne of Thessalonica. And it is a thing to be noted, since that time all Diuines do so highly commend that act of Constantine that they say in him is verified the promise contained in Esay: That Kinges shalbe thy noursing fathers, and Queenes shall be thy noursing mothers: speaking of the Church.

Liu. 10.c.8

Isa. 49.23.

Wee reade the fame of that worthy enterprise, that the French with the greatest part of the people of Europe, to the number of three hundred thousand footmen, and one hundred thousand horsemen, vnder the charge and conduct of Godfryd of Boullon, duke of Lorraine, made against the miscreants and infidels, to recouer Jerusalem and the holy land.

Then may christian princes make warre for the safegard of the true religion: and indeed (as we haue said) they are established of God for the same purpose: and they are most expressly

commaunded to kisse the Sonne, lest he be angry in signe of
Psal. 2. 12. homage, acknowledging him for their true King, and for their
soueraigne Lord.

If God haue strictly commaunded princes and people that he hath elected to arme themselues for to keepe possession of the land of Canaan, which was a figure of the church, and of euerlasting life: who may deny that princes at this day may not with a safe conscience arme themselues, and their people, to keepe their possession and inheritance of the Church, and of life euerlasting, against all tirantes that haue leagued themselues to put them out thereof?

If piety (as the Pagans held) commaund both princes and their subiects, to expose their goods and liues for the safegarde and preseruation of their kingdomes, seigniories, and countries: how much the more ought wee christians to thinke, that the same piety both commaund and bind vs to do the same for the defence of the Church, which is the kingdome of God, and the true countrie of all good faithfull christians.

If the life and goods do but serue onely vnto piety, why should not one do that for piety, that one would do for life and goods.

It is said, that the church ought not to be defended by armes: But wherefore then should it be assailed with armes? Is there any greater tyranny, then that which is exercised against the soule? And is there then any warre so lawfull and iust, as that which christian princes wage, to represse so great a tyranny?

The Pope he will haue his Crusado, and his knightes of Malta, and of other places, to maintaine his faith and his Romish church against the Turkes. Why then would hee condemne the same power in other christian princes, to defend by armes their true religion against the inuasions of all tyrannous and infidell princes.

Alphonsus king of Aragon, a christian prince, had this prety deuise in all his armes and standerds: *Pro lege, & pro grege*; that is to say, For the law, and for the people. Which was very proper to signify, that he perceaued himselfe called of God, not onely to defend his countrie, but also to preserue the

church, the true faith, and religion.

Now is it sufficiently proued, at warres for matters of religion are not contradictory to the vocation of christian princes and magistrates: Let vs procéede, and examine what a christian prince ought to do, when it falleth out, that hee must needes chastice and punish his heretical subiects, either by war or els otherwise, according to the default committed.

Chapter III.

That a Prince may chastice by warre, or otherwise, his heretical subiects, but with some moderation: and yet not before he haue conuinced them to be heretiques by the word of God.

HEre knowledge and conscience are necessarily to bee had. The Christian prince ought indeed to driue away all heretikes from among his subiectes, if there be found amongst them any such: and hee ought to chastice and punish them, either by warre, or else by some other forme of iustice, lawfull and approued. For in this errour were the Manichees, & the Donatistes, that no man ought to be troubled or molested for his religion, much leue punished: but that euery one myght liue freely after his owne fantasie. S. Augustine himselfe was sometime of this opinion, but afterwards retracted his errours, approuing that christian princes might punish heretikes: as appeareth in the epistle that he wrot to Bonifacius.

This law is made in the booke of Exodus: That whosoeuer maketh sacrifice to strange Gods, but onely vnto the soueraigne Lord, should be slaine. In Leuiticus commandement is giuen: that the blasphemer should be stoned and put to death. In the booke of Numbers it is said, Ex. 22. 20. Leuit. 24. 14. & 16.

Num.15.34 that whosoeuer shall violate the Sabaoth, shall die the death.

Deut.18.20 And in Deuteronomy: That the Prophet which shall presume to speake a word in the name of God, which he hath not commaunded him to speake, or that speaketh in the name of strange Gods, the same Prophet shall dye.

Now by whom should these executions of Gods iustice bee done, but by the prince or magistrate? We heare before that God commaunded, that the citty that should reuolt from him and from his true religion should bee set vppon by warre, and if it be obstinate and rebellious, that it should bee razed.

Deut.15.

2 Tim 1.19. That which some alledge, that S. Paul was content onely to excommunicate Hymeneus and Alexander, who had made shipwracke of their fayth: and that he commaunded Titus to excommunicate after the like maner all heretikes, after the first and second admonition, maketh nothing against the execution of the christian prince or magistrate. For saint Paul doth not shew there, how the prince ought to behaue himselfe in such a case, but sheweth what the pastour of the church his duty is in lyke matter. No man doubteth, but the incestuous person ought to bee punished by the Magistrate: albeit saint Paul writing to the Corinthians, speaketh nothing more of the incestuous person that was amongst them, but onely his counsell was to excommunicate him: and the reason is, because he there spake vnto the Consistory of the congregation, and not vnto the ciuill magistrate, making a great difference betweene the office of the one and of the other.

Tit.3.10.

Then by this that wee haue already sayd, it appeareth that the christian prince may, and ought to suppresse his heretical subiectes, either by warre or by any other lawfull meanes, so that it be done with iudgement and some moderation.

And first he must make a difference betweene shameles, obstinate and contumacious heretiques, who are the setters on fire, the plagwers, and chiefe captaines, to consume, infect, and leade others headlong into perdition: and betweene the poore ignorant people, who are seduced and abused by them,

and

and do not offend deliberately of malice or obstination.

The first are inexcusable, and without all doubt ought to bee persecuted by the prince as murtherers and poysoners of soules. For albeit no man may be compelled to renounce the faith violently, yet so it is, that the prince ought by no means to permit any to oppose himselfe publikely against the faith.

Concerning the ignorant people, and those that offend not vppon any purposed malice, nor by any selfewill, and in whom there is as yet some hope of amendment and conuersion, these ought not to be prosecuted with death incontinently, but there should be prayer made vnto God for them, and they must bee instructed with patience, till they come to better vnderstanding.

Secondly the prince ought not to condemne, nor punish by warre, or otherwise any of his subiectes for heretikes, before hee haue conuinced them to bee such by the words of God: for such proceeding is cleane contrary to the desire of christian princes, who hauing their subiects suspect, or accused of heresie, yet being such that they will submit themselues to verifye their doctrine by ỹ word of God: in stead of hearing them, stop their mouthes and will not let them speake for themselues: in stede of causing disputation to bee made against them by the holy scriptures, refuse and contemne the holy scriptures: in stede of examining their argements and reasons by the true analogie and proportion of the faith, condemne them straite against the faith, persecute them, massacre, and burne them, warre on them, and vsing all kind of barbarous cruelty to wards the, violate their owne lawes and promises.

King Lewis the thirde of that name was not such a one: This good king and father of the people being tempted by the Cardinals and Bishops of his time to vse some rigour & some manner of bloudy executions against those of Cabrieres and of Merindol in Prouence, whom the most part held for heretikes: vnto whom hee made this answere worthy of a christian king. I am (saith he) King and ruler ouer my people, to administer iustice amongst them: which I cannot do without hearing them who are accused. And therefore

fore I must heare them before I can condemne them, yea were they Turks, Iewes, Sarazins or Deuils.

And thereuppon, although they certifyed the King sundry times that the doctrine of those of Cabrieres and of Merindol had bin often condemned by the Councils, and namely by the Councell of Lateran: neuertheless he perseuered in his holy aduise, and said: I will not straine my conscience so farre, to be so hasty in iudgement vppon the sole authority of condemnations set downe by the Councilles, but I will haue the hearing of the persons accused, before I procéede to condemne them.

A most golden saying: for indéed it is not sufficient that men bée accused to be heretikes, if they be not conuinced to be such by the holy scriptures. For if the sole accusation would suffice to condemne a man, there is no kind of innocency but loseth his right.

Let vs now sée what mischiefes warre bringeth, to the end that christian princes do not vse it, but in time of good occasion and of great necessity.

Chapter LIII.

That because of the great inconueniences and mischiefs that accompany warre, princes ought not to attempt it, except in time of great extremity.

AGesicles the Spartan King, and Aristotle were wont to say, that a King ought to gouerne his people, as a father doth his children. For so also in ancient time kinges were called by an Hebrew word, Abimelech, which signifyeth, *My father the king.* Now the father gouerneth his children in all lenity and godlines, and not in rigour, so saith Martianus the Lawyer: The king then ought to rule his people in lenity & godlinesse, and not in rigour: but he doth the contrary, when he entrypresseth them with warre. For it is not to rule in pyety

L. 5. Paricid.

ety and lenity, to exercise such tyrannicall gouernment ouer his people, namely by ciuill warre, which is the very scourge of the people, far more vnsupportable and hurtfull then forraine warre of strangers. Let vs then see, what mischiefs warre bringeth vnto a common wealth in generall.

Warre maketh all things deare, and causeth famine: for the souldiers treade downe the fruites of the earth vnder their feet, spill the vines, steale, burne whole townes and villages, spoile and rob mens houses, take away mens cattell, fourrage their barnes, lye in waite to set vppon men in the high waies hinder the traffique and concourse of Marchants, and doe commit many such like mischiefes, which for the most part cause great famin and scarsity.

Warre is cause of great sicknesse, and namely of the plague and contagion: it bringeth great payne and tormoyle with it: a man in the warre is ill lodged, hee must eate that which hee findeth, and drinke what he can come by, and oftentimes the aire is corrupted by the infectio and stinking odoures of an armye, and by the number of dead carcasses, as well of men as of horses, which lie scattering here and there not farre from the campe.

Warre causeth all Lawes and iustice to cease, the true seruice of God to bee corrupted, or the free course thereof to bee hindred.

Warre maketh all reason and equity to yeelde to violence, abandoneth youth to all wickednesse, and lose living, causeth gray haires to be vilipended and set at naught, abastardizeth all estates, and causeth them to degenerate, exalteth men of small quality, bringeth low honorable estates, bringeth in innouations and dissolutiõs, maintaineth disorder and confusion, interrupteth the Vniuersities, and maketh all scholes of learning (the seminaryes of vertue) to cease, and make intermission, soweth the very seedes of all trouble and sedition, entertaineth and fostereth the rascallest sort of people, some that haue gone about with a bag, and some that haue deserued the corde: maketh one neighbour not to know an other, to eate and deuoy one another, taketh away by force the plowman from

his tyllage, and carrieth the Artizan will hee, or nill hee, from hys shop and family. No man is able to furnish so many contributions as it exacteth. The poore man dyeth for hunger, the innocent suffereth wrong, wiues and maidens are rauished and defiled, thousands of children made orphans and fatherless, blasphemie and reuiling the name of God committed, murders, theftes, and adulteryes perpetrated daily, all excesse vsed: and what mischiefe or villany is to be named, wherewith the warre aboundeth not?

Some warre traineth after it so many and infinite mischiefes, that worthily it is called the scourge of God. Therfore Virgil sayd: No hope of health in war, therefore wee demaund peace. So also Seneca saith: Peace is to be esteemed aboue the greatest things of account, & aboue al the riches and treasures of this world. And he which hath not this peace in possession, ought to purchase it and buy it dearly. And the maister of sentences saith: That man is mad who liueth in peace, and yet will seeke warre: for peace (saith he) bringeth aboundance of good, & warre taketh it away againe, and scattereth it.

11. Aeneid.

Then Princes which haue this priuiledge to be christians, if they loue their people; as good fathers loue their children, they ought not to manage warre but in great néede, and in case of extremity: and then to vse it as a remedy very dangerous and mortall, as is the searing and incision of any member. And as the skilfull Phisition saith: Extreame remedies must be applyed to extreame maladyes. But let vs now see with what lawes and rules they ought to wage warre if necessity require.

Hypocrat. Aeph.

Chap-

Chapter V.

Certaine rules and lawes to be practised of those that vndertake to wage warre, to the end that God may blesse and prosper their actions.

DO all things with aduise (said Salomon) and thou shalt neuer repent. Dolo (saith Socrates) those thinges are contrary to good aduise: haste, anger, and couetousnes. It falleth out often that warres are not taken in hand vpon good and lawfull occasions: and so are cursed of Gods mouth: and albeit they be vpon good and lawfull occasions taken in hand, it commeth to passe yet, that being ill managed and made in haste, or els being waged vpon some excessiue choler and stomacke, or for a thirst of lucre and couetousnes, or vpon some particular humour of enuy, they are also cursed of God. Princes therefore haue these seuen rules to practise and follow. Liquid

1 Rule.

That warres be not taken in hand, but for some great and important affaires: as some are whereof we haue spoken a litle before.

2. Rule.

That the Prince be not troubled vpon euery light occasion, but before he make warre, that he assay by all meanes possible to maintaine peace and concord: for if the end of warre be to seeke to conclude peace againe (as Cicero saith) without all doubt the christian Prince ought to procure and seeke all honest and lawfull meanes, whereof he can bethinke himselfe, to pacify and accord all differences, before he proceede to armes and to warre: and aboue all thinges if he be well aduised, might Offic. 1.

to be very milde and patient aboue all thinges in his sharpest afflictions, and sorest temptations. Plato being asked vppon a time how a wise man should be knowen: answered, when he had great and sundry troubles, if he ouerpasses them mildly, and with much patience.

We read of Fabius Maximus, who by his great patience and long delay in taking his fytte time, stopped and disappointed the furious rage of Hanniball, and ouerthrew his forces which seemed almost inuincible. So by this meanes he preserued the common-wealth of Rome from most imminent danger. And in very deede if running headlong and ouer great hast be condemned as a rashnes in all persons, especially it is to bee blamed in Princes, when they take in hand to make warre. For (as a Greeke Poet said) the second thoughtes are commonly the wisest, and the best.

Euripid.

3 Rule.

That no man warre, to the end to vsurpe the goods and inheritances of other men. For that were flatly to go against the commaundement of God, which forbiddeth to steale. Wherefore Alexander the great was as much a thiefe, when he sacked any prouince, or when he did vsurpe it with a strong and mighty nauy: as was Diomedes the litle Pyrate, that did but skimme vp and downe the sea in a litle Brigandine, robbing here and there where he could come by a booty. But (as one said very prettily) all the world is as it were a great bed garnished with diuers little couerings and litle kouerlets, euery man drawing a peece to himselfe, and vncouering his next bedfellow.

If one demaund whether Mydas or Crates was the verier foole: whether Mydas for that hee made accompt of nothing in this world so much as of gold: or Crates, for that he cast a great summe of gold, being all that he had, into the sea: He that hath any reason, will say that Crates was the wiser of the two: for Mydas drowned himselfe in his golde, but Crates knowing that his golde was a great hinderance to his minde, that he could not intend to apply his study of Philosophy, cast

it into the sea, saying it was better for him to drowne it, then it should drowne him. I bring in here this example of the poore Pagan, to condemne the ambition of diuers Christians, who not contented with their owne possessions, seeke by all meanes possible to encroch vpon the possessions of other men: as wee reade of king Pyrrhus, who hauing made an enterprise vpon Italy, Cineas his sage counseller said vnto him: wel (my Lord the King) you pretend to be shortly maister of all Italy? I mary, saith he: and what will you do when you haue got it all? I will pas, saith he, into France and Spaine. And what will you do then? I will goe to subdue all Afrique. And after that what then? when I shall haue subdued the world vnder my Dominion and subiection, I will bee (saith he) content, I will liue at mine ease and rest my selfe. For Gods sake (said Cyneas) my Lord tell me, what holdeth you, that if you will, you are not in possession presently of this estate? what want you? what stand you in neede of to be content, for you are sure of it? by all these sage demaundes and replies Cyneas thought to make Pyrrhus perceaue at last the vanity of his ambition: but he talked vnto a deafe man that would not heare.

And it is a *maxime* verifyed from all times, that euery empire or Kingdome enlarged by extorsions and rapines, by encroching vpon the signioryes and territories of other Princes, must fall to decay at last, must be ouerthrowen & ruined within it selfe by ciuill warres, dissentions, or other tumultuous broyles.

4 Rule.

That the Prince that will vndertake to warre against others, first let him knowe how to rule and ouercome his owne passions and affections. For (as Socrates saith) it is a matter of greater difficulty, and a more vertuous act to ouercome his owne will, then to ouercome his ennemy. And Plato saith, Hardly will he ouercome his enemy, who knoweth not how to ouercome himsele. Let not then the Prince be carryed away with his foolish passions, especially by too much choler, by a particular desire of reuenge, by hatred or

by other such like affections, which hurt and hinder the true order of proceeding in right and iustice.

It was a rare example of the choler of Seuerus Cassius, of whom it is reported, that he did pleade better being troubled & moued, then otherwise: and that his aduersaries stood in feare to moue him to anger, fearing lest in his angry moode hee redoubled the eloquence that he vsed otherwise being not moued.

Anger (saith Cassiodorus) is the mother of all other vices: and the corruption of all vertues, as Aristotle saith. Take heede of anger (saith Varro) for it ouerthroweth all reason quite, and troubleth the vnderstanding. The man (saith Cicero) that in his fury and anger, will reuenge himselfe of any other, and chastise him presently, can neuer keepe any meane betweene too much and too little.

But for the enuyous man, he boileth inwardly, as Horace saith, and is content to destroy and hurt himselfe to hurt and endomage another.

§ Rule.

That the prince vrged of necessity to warre, chose out wise Captaines and guides well experienced and valiant men. For in the policy and counsell of the captaines and guides (so saith Publius) consisteth all the puissance and addresse of the men at armes. Another said, he had rather haue an army of Hartes vnder the conduct of one Lyon, then an army of Lyons vnder the conduct of one Hart. Cæsars souldiers being on a day chased backe and put to flight, by Pompeius campe, Pompey daring not to pursue him in the chase long, Cæsar said that night secretly to his friendes, that that same day his enemies had won the last victory, if they had had in their campe but one captaine or leader, that had knowen how to ouercome or conquer.

Fulgos. liu. 7. ch. 2.

Now a dayes some such are made captaines that were neuer souldiers before, or at the least, good souldiers. So ée, for lacke of experience, before they euer haue bin in field, they are wondrous hardy, in so much ẏ they dare eate yron charret wheeles.

But when indéede they must lay about them and fight in good earnest, to make proofe of their valour, they are astonished, and their hart faileth them incontinent.

But aboue all thinges the Prince ought to make choise of such men for guides and leaders, as haue the feare of God before their eies. For often times it commeth to passe, that for the wickednes and peruersnes of the Captaines and chieses, God powreth out his anger vpon all the poore people: as appeareth by that one example of Achani, who for taking spoils that were forbiddē him, the anger of God was kindled against all the Israelites. Ios. 7. 1.

6 Rule.

That he choose also for his men at armes and souldiers, men that feare God: for the victory dependeth not of the multitude of fighting men, but of the grace and fauour of God.

We finde many worthy exploits, which surpasse all military discourses and reasons in Cæsar, accompanyed onely with a few valiant and hardy men at armes. For with howe small a number did he enterprise to subdue Egypt, to set vppon the armies of Scipio and Iuba, and atchieued his enterprise? His forces were by ten partes more feeble then theirs. With how poore equippage at the Streight of Hellespontus durst he assaile, fetch in, and force to yéeld Lucius Cassius? He had but a litle barqueroll, and the other had ten great ships of warre: neuerthelesse hee atchieued his enterprise. With how harde meanes did he hazard himselfe to assiege Alexia? and yet he had but slender and meane forces. Within the towne there were 70000. men of defence, and without the walles were the Gaulois camped against him, to make him raise the siege to ẏ number of 109000. horsemen, and 240000. footemen: *non obstant* all this he encountred first with the succourse, and vanquished them in fight, and afterwards compelled those within the walles to yéeld to his mercy.

Now if the pagan Cæsar hath done so valiant exploits, reposing the confidence of his victory, not in the great number of

his souldiers; but in the good lucke of his fortune (to speake after the maner of the Paynims) and in the valour of his men at armes. What shall our christian captaines do, who haue their men of warre, not onely courageous and valiant, but also such as haue aboue all thinges the feare of God before their eies: albeit they be not very many in number: and surely the body of a maine campe ought to consist but of an indifferent and moderate number of men; for these huge and mighty armies consisting of men innumerable almost, do very seldome any thing worth the speaking of. But those armies that are reigled with certaine moderat bornes, for the most part do atchieue most glorious exploits, and signally when they are all sincere and true Christians.

Hether haue relation the holy histories of Gedeon, of Baruc, of Sampson, of Ieptha, of Dauid, and of diuers other captaines and guiders in warlike affaires: who (as the Apostle saith to the Hebrewes) by faith haue encountred with forraine kingdomes, and turned to flight the campes of Allians and strangers.

Heb. 11 33.

And who doubteth, but that most famous and great victory which the King of Nauarre had in a battell this last yeare against the Duke of Ioyeuse at Coutras, hath relation and referreth it selfe to this place? The pastour that offered vp the prayers vnto God, immediatly after so great a victory to giue him thanks therefore, might very wel say that, which he saith: Our arme hath encoūtred, but the arme of the Lord hath vanquished. To conclude, it is not an hard matter for God to saue with a small number of people, that which the holy scripture affirmeth to be true.

1 Sam. 14. 6
Iudith. 9. 15

7 Rule.

That good and holy lawes haue course and vigoure in christian armies, and not onely in townes and Cities, but also abroade in the midest of the campaigne. For this sentence, that the lawes cease, & are of no force in warre, is not of God but of the Deuill.

But

But it is expedient, that these lawes be common to all, and that they hold vnder, not onely souldiers, but also the Chiefes and Captaines, from the least in the campe to the greatest, in such sort that none aduantage be taken of these lawes, as was by the lawes of Anacharsis, which were compared to the Spiders webs: for as the webbe of the Spider keepeth the little Flies fast prisoners till the Spider come, and breaking when the great Flies fall in, letteth them goe: so Anacharsis lawes punished those of small and base quality, and let the mighty and great ones escape vnpunished: And it is in lawes commonly, as in the Poets censure: Which spareth the crowes, and putteth the poore pigeons to paine. Horat. Sat. 20.

Papinian the Lawier chose rather to die, then to excuse the parricide of the Emperour Caracalla.

Zaleucus enacted in his lawes, that whosoeuer should bee found to commit adultery, should haue both his eies put out: it fell out that his owne sonne was conuinced of this crime, wherefore his father would in any wise haue the law executed vpon him: & sure so it had bin, had not the importunate praiers of his people, entreating him to remit wholly the culpe, moued him some thing in the matter: but see what hee accorded vnto the people, because he would not haue his lawes violated, and to be made without effect: to satisfy the law, hee put out one of his owne eies, and commaunded that his sonne should haue one of his eies put forth in like manner. Val. Max. li. 6. cap. 5.

Archidamus being asked, who were the chiefest gouerners of the Citty of Sparta: made answere, the lawes and the magistrates lawfully established in authority. Agesilaus king of the same city of Sparta said, that the captaine generall in warre is bound to follow and do that which the lawes commaunde him, and to prosecute iustice, without the which, all prowesse is nothing worth. It is a very seemely thing (sayd the emperours Theodosius and Valentinian) for his Maiestie that ruleth ouer others, to declare that hee his a Prince conformable to all good lawes. To conclude, saint Augustine saith, the law guideth all force and power in martiall affaires, and gineth great vigour and lustre to iustice and equity. Plut. in the life of Agesilaus. In an epist. to Volusiã. Aug. l. 4. of the city of God. ch. 4. & 6.

And indeede loke by how much the more matters are troubled and troubled (as in warre) by so much the more haue they nede of some good order and reiglement. If a Carpenter or Mason should cast away his squire, his rule and his compasse, how shall he be able to worke? If the Pilote, when there ariseth a great tẽpest at sea, do cast away his bellishing, his carte, his needle, and his sterne, how shall hee bee able to conduct his ship with iudgement to the place whither he pretẽdeth to saile? We see by experience euery day what is done in warre. There is no mischiefe, that souldiers do not put daily in practise against the poore people. In warres the laines are silent, and men at armes will haue no execution of iustice. The cause that is pleased is open and iust: but that is all. Besides that, there is nothing done according to iustice and right. No marueil then though sundry times the enemy get the vpper hand.

8 Rule.

That the leaders and Captaines bee valiant and courageous in all such difficulties, as of custome fall out in exploits of warre. The cunning Pilote is knowen and tryed in tempestuous weather at sea: for in a calme euery sayler can play the cunning nauigator. Metellus was wont to say, that it was a common and easy matter to do well where no danger was: but that the part of a braue and valiant man was, to behaue himselfe well in matters of great difficulty and danger. Vertue, saith one, reacheth to hard matters full of difficulty and danger. She hideth her selfe and is as it were vnknowen, in easie thinges, but appeareth and sheweth her selfe where any difficulty presenteth it selfe. Shee refuseth facility for her companion, she is painfull and full of trauaile and toyle: she dwelleth vpon the top of an high roche, and the way that bringeth to her is rough, harde, and full of prickes and thornes. To bee briefe, difficulty setteth the price of vertue.

Ouid.

Sylius.

9 Rule

9. Rule.

That Captaines be diligent and painfull, and in no wise yele and sluggish. Diligence, saith Homer is the mother of riches, the health of the body, and the safegard of the soule. And againe by great diligence a man commeth soone to perfection. I am come, said Cæsar, I haue seene, I haue got the victory.

The sluggish idlenes of the emperour Theophilus, caused him to lose the battell that he fought against the Agarens, and yet after he had lost the field he was so lazy, and slouthfull, that he could not make any shift to flye and retire. But Manuel a chiefe captaine in his armie, shaking him by the sleeue, and drawing him away by force of armes, to awake him out of his drowsy sluggishnes, told him plainly, if he would not follow and make away speedily, hee would kill him with his owne hands: for (saith he) it is better that thou shouldest lose thy life, then being taken prisoner to ruine the empire.

But as abstinence is a punishment to the gourmande glutton, sobriety to the drunken wine bibber, thrift to the prodigall spendall, chastity to the filthy aduulterer, study to the idle loyterer: so labour and diligence is a racke and torment to an idle person that hath litle minde of affaires committed to his charge. But military profession hath nothing of impossibility or difficulty in it: were it not for our nonchallancy and sluggishnes that maketh thinges to seeme impossible and difficult. Many Captaines now a dayes content themselues with very small deliberation in their affaires: but for their paines and diligence in any exploit or enterprise, they employ that but to the halfes, and very sleightly God wot. They referre all to their officers, their officers to their souldiers: so putting trust the one in the other, they ouerpasse oftentimes the bounes of their deuoire: and at the last being parsued and surprised by the crafty wiles of their enemies, they are faine to yeeld and be ouercome.

10 Rule.

That nothing bee enterprised or attempted without asking
Esay.30.1. aduise at the mouth of God. A curse fall on those rebellious children, saith the Lord, that take counsaile, but not of me, and weaue their webbe, and not by the counsaile of my spirit, to the end they may heape sinne vppon sinne: who walke to goe downe into Egypt, and haue asked no question at my mouth to fortify themselues in the might of Pharao, and to put their trust in the shadow of Egypt.

Prayer must be then made vnto God, before any thing be attempted, but not sleightly, or from the teeth or lippes outwards, but inwardly from the hart, with reuerence, honor, and carefull regard due vnto the deuine Maiesty: for prayer is an action so deuine to be vsed onely by the lungs and tongue: it ought to procéede from the very entraels of the hart, and from a deuout and religious conscience: and therefore all armies ought to haue true pastors and ministers to make prayers and supplications, and to do other their charges enioyned them of
Deut.20.2. God. For the Lord hath willed and commaunded, that there should be Priestes to sacrifice in the warres of old time, as also now hee hath appointed ministers of the true religion for the same purpose.

11 Rule.

That the armies put their trust in God alone, and not in the
Esay.31.1. helpe of man. A curse fall vppon them, that go downe into Egipt for aid, saith the Lord, and put their trust in horses, & their confidence in charriots, because they are many in number, & in their horsemen because they are lusty & strong, and haue no regard to the holy one of Israell, and aske no question at the Lord. And a little after: The Egiptians are men and not Gods, and their horses are flesh, and not spirit. The Lord shall stretch forth his hand, and then shall the helper fall: and hee that should bee helped shall

fall

fall together with him, and they shall all together be destroyed.

The aide of men may deceiue and delude those that put their confidence therein, as are the huge and mightie armies, the great force of people, the addresse and swiftnes of horses, alledged before out of Esay the prophet: as Dauid himselfe could well tell in his 33 psalme. Ther is no king that can be saued by the multitude of an host, neither is any mighty man deliuered by much strength. Likewise, a horse is counted but a vaine thing to saue a man, neither shall he deliuer any man by his great strength. Examples hereof are euident in many places of holy writ: in ỹ host of Pharao, in Goliath, in the armie of Senacherib king of Assyrians: in many battailes fought in our dayes, namely in that most famous victory which the king of Nauarre got against the duke of Ioyeuse 1587. whereof we spake before. Exo. 14.10. 1 Sam. 17. Isa. 37.36.

But the aide and helpe of God is most sure to be trusted to, and infallible. As appeareth by the Israelites warring under their captaine Iosua against ỹ Amalechites: for it is said, that when Moyses held vp his hand, the people of Israell vanquished and ouercame: but when he plucked backe his hand, Amalec ouercame. By the lifting vp of Moyses hand, the assistance of God is vnderstood.

There is also another notable example of the same in Asa king of Israell: for Hanani to make him acknowledge his fault in ioyning his forces with Benadad king of Syria, perceiuing him to repose more confidence in him then in the helpe of the Lord, in the warre, that he had against Baasa king of Israell, told him in this wise. Because thou hast trusted in the king of Syria, and not in the Lord thy God, therefore is the host of the king of Syria escaped out of thy hand. Had not the Ethiopians and Lybians an exceeding great host, with an innumerable company of charyots & horsemen? and yet because thou trustedst in the Lord, he deliuered them into thyne hand. For the eies of the Lord behold all the earth to strengthen them that are of a perfect hart towards him. Herein thou hast done foolishly, and 2. Chr. 16, 7

therefore from henceforth thou shalt haue warre.

In this aid of God did Dauid trust and rest himselfe when he fought against the great gyant Goliath. The Lord God
1.Sam. 17. 37. saith he, who hath deliuered me out of the clawes of the Lyon, and from betweene the pawes of the Beare: he shal deliuer me also from the hand of this Philistian: which the Lord performed indede.

2.Chr.20.6 Likewise Iosaphat fighting against the Ammonits and the Moabites: O Lord, saith he, the God of our fathers, art not thou the God of heauen, and raignest ouer all the kingdomes of the heathen? in thy hand is power and might, and no man may withstand thee. Behold, the children of Ammon and Moab come to cast vs out of our possession, which thou hast giuen vs to inherit. O our God, wilt thou not iudge them? for we haue not power & might ynough to resist so great a multitude that come against vs, and we know not what to do, but our eies looke vnto thee. &c.

In like maner Moyses exhorting the Israelites to go
Deut.1.28. vp into the land of the Amorits, sayth, you say, how shall we goe vp? Our brethren haue discouraged our harts saying, the people are more in number, and taller then wee, and they haue strong cities walled vp to heauen, and there wee haue seene the sonnes of the Giant Enachim: but I say vnto you, dread not, and be not afraid of them: the Lord your God which goeth before you, he shall fight for you, as he did in Egipt and in the wilderness.

So the people of God seeing their king to march so valiantly before their enemies in a warre so doubtfull and dangerous, prayed for him, presaging his victory, assuring themselues as though he had them already obtained it, rendring harty thanks
Psal. 20.8. vnto God, alleadging for all reason: some put their trust in charyots, and some in horses: but we will remember the name of the Lord our God: they are cast down and fallen, but we are risen and stand vpright.

Rom.8.30. Psal.68.1. As S. Paul saith very well: If God be on our side, who can be against vs? And the holy Prophet Dauid saith in an other place: Let God arise, & let his enemies be scattered:

let

let them also that hate him, flye before him.

Like as the smoke vanisheth, so shall he driue them away: and like as the waxe melteth before the fire, so shall the vngodly perish at the presence of God.

Very true it is, that wee ought not to contemne ordinary meanes of humaine aid, seeing that they be lawfull to be vsed: but there must be such as God hath lawfully appointed, and we must take heede that we leane not on them too much.

12 Rule.

That the armies aboue all thinges be Godly and holy, if wee will haue them worke good effect. The Lord thy God walketh in the middest of the campe to saue and deliuer thee, and to make thyne ennemies flie before thee: therefore shall thy campe bee pure, that he see none vncleane thing in it, and so turne himselfe from thee. Deu.23.14

It is a *maxime* set downe in the former rule, that if God be in the middest of our host, to conduct and preserue it, the effect shall alwaies be good and happy. This is it also, that the first article of this sentence of Moyses, containeth: on the contrary side then if God bee not in the middest of our hostes, and be not conductor and guider of them, there is no hope to be had of any victory. Therefore Moyses said vnto the Israelites, that would haue gone vp into the land of Canaan, to fight against their ennemies: no, do not goe vp in any wise to fight at all, (for the Lord is not with you) lest yee be discomfited by your enemies. Deut.1.42.

But howe is this, that the Lord shall bee in the middest of our hostes? It is (saith Moyses) if they be godly and holy, so that God see none vncleane thing amongest them. There are three thinges that ought to incite vs to be Godly and holy, or to liue holily at warre. Nom.14. 42.

First the honour and reuerence which wee owe of bounden duty vnto Gods diuine maiestie: for as the coate and liuery of Princes, is the marke whereby men at armes and souldiers are knowen: so the sanctimony of life, which we pretende and

shew proceeding from a true faith, and from his very hart sincerely, is the true liuery, whereby we ought to be recognised to be the seruants of God, and souldiers fighting vnder his banner. If we haue a good captaine at warre, shall not we endeauour by al meanes possible to obey him: and if any thing in vs displease him, to amend it by and by. And shall we not do as much vnto God? For what honor shall it bee for him to haue such men at armes and souldiers that are dissolute, & of naughty life and conuersation?

Secondly, the great extremity and danger wherein wee liue daily, while we be in warr. For when perilles do threaten vs on euery syde, and death it selfe is before our eies, and both pricke vs forwards behind, and horrible as it is, doth compas vs round about: ought we not then to haue so much the more great care and feare of God, and so much the more haue a great regard to thinke of our conscience. If you stand not in Aeneid.1. feare of men (saith one in Virgil) nor the weapon of valiant men, yet feare the Gods. Or as S. Augustine saith better. Stand you in feare of nothing, feare God?

Thirdly the promise that God hath made vs, to be victorious ouer our enemies, if we be vertuous, godly, and holy: and his threat to the contrary. If you walke in myne ordinances Leuit.26.7 saith the Lord, you shall chase your enemies, and they shall fall before you vpon the sword. Fiue of you shall chase an hundred, and an hundred of you shall put ten thousand to flight.

Likewise, If thine enemies come vppon you one way; Deut.28.17 Leu.26.17. they shall flye before you an hundred waies. And to the contrary: If you shall dispise and transgresse mine ordinances, saith he, I will set my face against you, and ye shall fall before your enemies, and ye shall flye beyng pursued Deu 28.25 of none. Likewise, the Lord shall make you fall before your enemies: ye shall come out one way against them, and flye seauen waies before them.

And to this rude is the grieuous complaint that God made of his people. That my people would haue harkened vnto Psal. 81. me: for if Israell had walked in my wayes, I should soone haue

haue put downe their enemies, and turned mine arme against their aduersaries. The haters of the Lord should haue bene found lyers, but the happy time of the godly should haue endured for euer. And in another psalme. Like as the children of Ephraim, which being harnessed, & carying bowes, turned themselues backe in the day of battaile: they kept not the couenant of God, and would not walke in his law. And the contrary, what hee doth promise to such as be of vertuous and godly life, and serue the Lord faithfully. The Lord deliuereth the soules of his seruants, and all they that put their trust in him shall not bee destitute. Psa. 78. Psa. 34.

And againe in another psalme: the hilles stande about Ierusalem: euen so standeth the Lord roūd about his people, from this time forth for euermore. Psal. 124.

Thus much for the rules of warfarers, which I thinke most needefull to bee followed of those which will vse military profession.

Chapter VI.

Whether it bee lawfull in Christian warres to lay ambushes, and to vse pollicy to surprise the enemy.

NOw we haue this question to discusse: if the warre be iust and lawfull, and not destitute of her iustice, whether it be lawfull for christians to vse stratagems, artifices, pollicie, ambushes, and other subtilties to set vpon the enemy vnawares: I answere it is, so that the promise made be not violated, nor pietie and godlines offended.

For any priuate persons they are expressly forbidden to kill or to take any vengeance, bee it openly or in secret: as we haue before alleadged what God sayth. Thou shalt not kill: thou shalt not auenge thyne owne quarrell. And for killing in secret, God saith also: if any man haue sought priuie meanes Exo. 21. 12.

to kill his neighbour secretly, he ought to be put to death.
2.Sam.2.&c. Therefore are condemned as murtherers, Ioab, who slue Ab-
10. ner and Amasa: Tryphon, that slew Antiochus: Alcymus,
1.Mac.13. that slew the Iewes: Ismael, that slew Godolias. And to
2.Mac.7. verify this Dauid speaking to God, sayth: Thou shalt dis-
Ierem.41. troy them that speake leasing: the Lord wil abhorre both
Psalm.5. the bloudthirsty and deceitfull man.

But if one obiect the act of Aiud, who slew Eglon king of
Iudg.3.20. Moab by a policy: & that act of Iael, who with a nayle and
Iudg.5.24 a hammer knocked Sisara in the head, and so slew him whilest
he was a sleepe: this answere is easy, that these particular ex-
amples ought not to be drawen in consequence. For God hath
raised up these personages to execute his iudgement by extra-
ordinary manner. And here must understand this, that their
actions in that matter are iust and excusable, because God hath
directed them, and approued them by his most holy word.

But touching Princes, Captaines, and officers in warre,
in actions of their proper charge, and namely in exploites of
warfare: there is a consideration a part to be made. For if it
be lawfull for them to take and hang the theefe, the robber, the
assassinate, and others of like quality: If they cannot do open
execution, why may they not do it secretly by ruse and policy?
and if this may be done lawfully at home, why not abroad in
warre?

Aug. li.8.4. Saint Augustine iudges of this matter, and the examples he
q.ex cap.8. alledged are found in the holy Scripture.
Ios. The children of Israel fighting against the Beniamits, coun-
terfaited to flye before them, and by this policy getting them
out a great way into the campaigne, hauing layed diuers am-
bushes against their comming, ouertwrew and slue them eue-
ry mothers childe.

Iosua being commanded of God to arme himselfe against
the citizens of Hay, hauing chosen out thirty thousand mighty
and valiant men of warre, caused them to approch the towne
by night, and said vnto them. Behold, you shall lay an am-
Ios.8. bush on the backside of the towne: be not farre off from
the citty, but be all ready. I, and all the people that are
with

with me, will approch the city. And when the rush out against vs, as they did at the first time, we will flie before them: for they will pursue vs till we haue brought them a good way out of the citty: for they wil say, they fly before vs, as at the first time, and we will flye before them: but you shall rise quickly out of the ambush, and conquer the citty, for the Lord God shall deliuer it into your handes, and so it came to passe.

There are many other like examples in the holy scripture which proue manifestly, that christian princes & magistrates may with a safe conscience lay ambushes, and vse pollicies in warre, to surprise and ouertake their enemies. But we must take heede that in such actions nothing be attempted or done against the faith promised, nor against godlines and piety. Wherefore herein Cleomenes is worthy to bee condemned, who hauing confirmed a truce with the Argians for 7. dayes, the third night after set vpon them whilest they were all sleeping, and so slewe and ouerthrew them all, alledging for his reason, that the truce he concluded, was made but for ẏ daies, and not for the nightes. This was an hostile subtilty that God himselfe afterwards reuenged. Hardly would euer the painim Cæsar haue done the like: for vppon a time warring vppon Ariouistus, as he parleed with him, there happened a great tumult betweene the two armies, which began through the fault of Ariouistus horsemen. In this tumult Cæsar perceiued he had great aduantage of his enemy, yet was hee so scrupulous, or of so good conscience, that hee would not take that aduãtage, fearing lest he should haue bin said afterwards to haue gone against the law of armes. And it boteth not here to bring in the counsel and pollicy that Lysander giueth: that is: if the skinne of the Lion will not serue, to sow vnto it a peece of the Foxes skinne: For wee must put a distinction betwixt subtilty and treachery. Treachery is alwaies forbidden & condemned as not lawfull to be vsed. Who hath once lost his faith (saith Seneca) hath nothing more to lose: and Cicero saith, by two waies is iniury offered: either by force, or frawde: frawde is proper to the Foxe,

Hostile and treacherous pollicie.

L. 1. D. de dolo malo.

Cicoffic. 1.

force

force to the Lyon: both ought to be far from a man, but frawd ought alwaies to be had in detestation.

Heare a worthy sentence, worthy also a christian man, yet spoken by a pagan. He saith moreouer, that faith or promise made is not to bee violated towardes the very enemy.

So then let the chiefe captaines and guides at warre make no difficulty to vse pollicy, and ruse of warre, to surprise and take their enemies at aduantage, if it be possible: so that by no meanes they violate their promise giuen, nor falsify their faith by any treachery or hostility.

Chapter VII.

Of the resolution that men of Warre and Souldiers ought to haue, either to liue or die when they come to battaile.

Here resteth one point yet to bee handled, concerning the resolution that men at armes ought to haue in martiall affaires: and without all doubt, resolution in all thinges may do very much. And that is the cause why Phisitions require a good hart of their patients, before they minister vnto them any phisicke, to the end their good hart and resolution may helpe them sooner to recouer health, and supply for fault of medicine. I say then that the principall part of the wisedome of a warrier consisteth in this wholly, that he resolue himselfe in any wise not to feare death: and in this point do not onely all the sectes of Philosophers rencounter, but also all the writings of the learned diuines agree, in exhorting vs to contemne and dispise death. The remedy of the vulgar sort against the feare and apprehension of death is, not to thinke of it, but to receiue the deaths wound without thinking or remembring it.

Yet Caius Iulius the noble Romane did not so, for being condemned to die by Caligula, euen when the executioner held vp his hand to strike of his head, a certaine Philosopher asked him: Wiel Caius, tell me, whereupon dost thou thinke now? I thought (saith he) in my spirit to be ready and watchfull, as neere as I could, to see if in this instant of death so short and sodaine, I could perceiue the dislodging of my soule, and to see whether she had any seeling or perceiuing of her owne going forth of my body or not. The dangers of warre do represent vnto vs indeede death very sodaine and horrible. But death commeth sodainly also vppon vs, when we liue at greatest quiet, and in our deepest delicacies, as some haue very wel noted in these examples following.

A certaine Duke of Britanny was stifled in the presse of people at Pope Clements entering into Lyons. One of the kings of France was slaine sodainly at tilt. Aeschiles was knoct in the head with the scale of a Tortise, that fel out of the beake of an Eagle flying in ye aire: another was choked with the kernell of a raisin sticking in his throat, another with a haire, another died with the pricke of a needle in his finger. One of the Emperours died with the scratch of a combe in curling his head. Aemilius Lepidus tooke his death by hitting his foot against the threshold of his dore. Caius Iulius a Phisition, applying a plaster or ointment to a mans eies that was sicke, death came and closed vp his owne eies sodainly. Cornelius Gallus a Iudge, Tigillius captaine of the watch in Rome, Lewis sonne to Gui de Gonsague Marquis of Mantua, died all three sodainly betweene Womens thighes, and there was their ende. These examples so rife and ordinarie (to the which we may add an infinite of these, which being well at ease and in health, eating, and drinking, euen now merily, and within an howre dead) to fortify the exhortation and good counsaile of Homer.

Twixt hope and hate, twixt anger, care and feare.
Thinke euery howre thine end of life drawes neare.

And that was the cause that the Egyptians vsed in their

feastinges and banquettinges to bring in among their ioies a dye anotomy of a dead mans carkas, to aduertise all their guestes thereby the better to remember their end.

Now if in the middest of our greatest follities and pleasures, liuing in peace, wee ought to represent before our eies the Image of death, in open sight and not with a courtaine: What should wee then do in time of warre: in time of combatting and fighting: in time of rencountring and ioyning armies: in time of assault: in time of skirmish, and in time of breach:

The first day of our birth we beginne to take our iourney towards death. But it is a thing of great importãce to know whereaboutes in our iourney death will find vs out. The emperour Vespaian was not of the mind of these Lechargikes, who are so drowsy that they will not be awaked, but dye sleeping: but he said, I will die doing something. So ought euery vertuous man to do: wee are borne to do something, therefore death should finde vs not idle, but doing something: but that which we do ought to be honest, godly, and holy. We are daily occupyed in thinges that the body might be without iuel enough: yet we do nothing but turne round like a wheele in vanities and superfluities. We eate, we drinke, we sleepe: and againe we sleepe, we drinke, wee eate a great deale more then would serue our turne: and so we do nothing but turne round in this wheele of pleasure and voluptuousnes. But we ought to haue some care and consideration of our state and vocation wherin we liue, to exercise and vse that: and being busied therein, should our death come vpon vs and finde vs occupied: and our action being honest, vertuous & godly, no doubt but it pleaseth God wel. And no doubt such is the action in our state and vocation, that we exercise in iust and lawfull warre, and namely, when it is made for Gods cause and quarrell, and for the defence of his Church vnder christian Princes: so that if we dye in warre, we are no lesse martirs of our Sauiour Iesus Christ, then are some of our brethrẽ who haue bin burned, drowned and massacred cruelly before our owne eies, for the cause of Gods true faith and religion.

Our life hath it limits, no man dieth before his houer, but all

all men prolong not their liues alike, nor with like disposition as did the Lusitian Xenophilus, who lined in perfect health an hundred and fiue yeares, hauing neuer in all that space the least apprehension of any mallady or paine. Wee dye without any exception all, either yong or old. The time before we were borne was none of ours, nether is that time any of ours, that commeth after our death.

There is nothing more certaine then death, and nothing more vncertaine then the howre and moment of death, death is common to all and no man may auoide it. It is but a kinde of sléepe. It is the period and last degree of all miseries and trauels of this life, saith Saint Iohn. It is our last paine, saith Lucan. Of others it is called the souereigne felicity of nature, the doore vnto liberty, a souereigne medicine, good for all diseases, the marke whereat all mankinde leuelleth. Why then do wee feare it so much? Death (saith Hermes) is as the fall of an arrow, and our life is as the time, when it is shot out of the bow till it light on the ground.

Heb. 9.27. 1 Thes. 4.13 Apo. 14.13

Our life is, as it were a prison (saith the holy scripture) it is like a pilgrimage, or a short voyage, as a vapour which is séene a little, and by and by vanisheth away, as a shadow, which passeth away swiftly, as an Image, as a puff of wind, as the weauers shuttle which glideth through the cloth quickly, as a flowre that soone fadeth, as a shadow that followeth a man harde at the heeles, and stayeth now here behinde him. What is then this mortall life, that wee make so much accompt of it? and what is this death that wee should so much feare it? The very frends séeme fearefull to litle children, when they come before them masked. So playeth death with vs: for let vs but plucke the maske or visard from his face, and all dread and feare will vanish away. Socrates said, that a man should not feare death, for death hath in it none other bitternes but onely feare, and the apprehension of feare that one conceiueth. Those that by some violent hap are fallen into a sownd, and those that haue bin more then halfe smothered, or more then halfe hanged and strangled, may well say, that in some respect they haue looked death in the face, be-

Phil. 1.23. Gen. 47.9 2 Cor. 5.9. Iam. 4.14. 1 Cor. 7.31. Psal. 39.7. Iob. 7.6, & 14.2.

ing so nére vnto him as they were. It hath nothing then in it that is to be feared: and the reason is to be noted, which is this: that the sting of death, which is sinne, is brought to nothing; and that death is the last enemy that Christ ouercame in his victory: to be briefe, after death we haue no place to be taken hold of by any other misfortune. Euen as before the comming of death (as the wise man Solon said to K. Cræsus) no man can iudge aright of our good fortune or bad, by reason of the great varieties and changes of humaine affaires. For what is there in this world permanent and durable? Vanity of vanities (saith the sage Salomon) and all is but vanity. Eccles. 12.

Democritus finding the state of humaine actions to bee vaine and ridiculous, mocking and grinning, was wont to laugh alwaies when he came abroad into any company. Heraclitus finding the same condition most wretched and miserable, had some pitty with him, and wept alwaies bitterly. Diogenes came somewhat nére the humour of the first, for hee was safe rolling vp and downe in his tonne, made none accompt of worldly riches, esteemed not any whit of the pomp and magnificence of men, whom hee made accompt to bee, as it were flies, or as it were bladders full of wind. It is our best & neerest way then (if God haue so ordained it) to passe quickly the last pace, that wee may bee happy in heauen, after our terrestre pilgrimage. The marchant will he be sory to arriue at a city whither hee hath long trauelled, taking great dales iourneies for his traffike: and shall wee bee sory to arriue at Death, whither we goe daily following our vocation? The Post is glad when hee is safe come home againe to his owne being, after hee hath wearied himselfe with so many Postes, and ridden many a weary iourney. The Pilot is glad for ioy when he striketh saile in the wished hauen, after that he hath floted long time in great danger vpon the frothy waues of the swelling Sea. The man at armes that runneth for a game within the lists, is glad when hee commeth at the end of his race, to carry away the ringe, and win the price of the game: And the souldier shall he suffer himselfe to be sluggish with sad-

nes

nes and feare, when he shall see himselfe in the middest of the battaile, or in the middest of any other exploit, to see himselfe end his life honorably: so as God hath appointed him?

We read that among the Romans Brutus, the two Decij and some others: and among the Grecians Codrus, king of Athens, Themistocles, and others who killed themselues for none other reason, but for the benefyt of their countrie. And shall we make so great difficulty in farre more lawful and iust vocation then they: yet not giuing our owne selues our deaths wound, and not hastening our hower by any rashnes, to loke death in the face, and to pull him by the collar in one battaile, for the glory of God, and for the defence of our owne patrie? If wee die in so famous a place, and for so iust a cause, how much lesse tragicall and more honorable shall our death be, then the death of those pagans was? Pythagoras was wont to say, that it was better to die with honor then to liue with shame: and therefore vppon a time espying a souldier which ran from the fight, he said vnto him: thou dost very ill fellow to flie from an honorable death, to liue with dishonour and shame.

It is very true (as Socrates said) that we ought not to make small accompt of our enemies, and stand in feare of the. For (saith he) be they neuer so fewe and simple, but they may annoy vs easily. And (as another saith) there are no beastes in the world so much to be feared of men, as men: and againe, we ought not to redoubt them so much, as though they had our liues at their deuotion.

If then we must needes fight, let vs fight: if we must needs die, let vs die like honest, good and godly men, honourably in our vocation: yet must wee take heede that we do not abuse the secret counsail of God. It is written that the Bedouians a mungrel nation with the Saracens, against whom the king Saint Lewis fought in the holy land, beleeued firmely, that the dayes and howers of euery one were prefixed and counted from all eternity, by a certaine predestination ineuitable, so that they went to warre quite naked, hauing onely that they had a whyte sheete to couer their body withall, and had no

The Lord of Ioinuille

weapons but onely euery man a Turtelasse after the Turquesque. That is to abuse the decree of God himselfe, and to prepose our ignorance before his knowledge. For thus saith the Lord: My thoughtes are not your thoughts, and my wayes are not your waies: for as farre as the heauens are higher then the earth, so far do my waies exceed yours, and my thoughts yours. So likewise the Turkes do abuse *Fatum*, after the manner of the Stoicks. Esa. 55.8.

Albeit then that the ordinance of God be the soueraigne & principallest cause, of all that happeneth in this world: yet are there some second causes which in their orders ought to come in cõsideration, seeing that God himselfe doth sometimes serue himselfe therewith, and will also that we vse them. Then no man ought to say: If I shall die with this harquebuzado, or with this cannon-shot I shall die: if I shall not die, then I shall not die. I cannot hasten my death, although I thrust my selfe vpon myne enemy, neither can I driue it any further off, although I recoile and runne away. No, that is a tempting of God, and to meddle with his iudgement, which is altogether vnknowen to vs: and such temerity falleth not out so well to euery one, as it did to Iason Phereus, of whom it is reported, that hauing an apostume in his breast, and being abandoned of all phisitions and surgeons, as one past care making none other accompt but to die, ran headlong in a battail amongest the thickest throng of his enemies, and by great chance had a wound cleane ouerthwart his body, so full vpon the place of his apostume, that by and by it brake out of him: not long after was healed. This was in him not good fortune, (as one would say) but the especiall fauour of God, who directed his aduise against his intention, and corrected it.

I do not say, but if the occasions of warre require that one should stand fast and strong against the harquebuzadoes and cannon-shot, it were very vnseemely, and cowardly done to bowke like a ducke, to voltige, or runne hether and thether, or to range to the quarter for feare of a blow: but plant himselfe and stand full in the Cannons mouth, or to hazard himselfe too farre neere the play of the harquebus, rashly and without discretion,

tion, is to ouerpasse and goe beyond the lawes and rules of manly resolution and constancy. The warriour ought to take great heed he be not too rash, but following his vocation with magnanimity of courage ought to bee sage and well aduised, to husband the time, to take occasions offered in due time: and thereuppon to resolue himselfe whatsoeuer fall out, life or death to be in the hands of God, in his grace and fauour, and so he shall neuer do amisse. To that great God of hosts, most mighty and puissant, perfitly good and iuste, only the true God and the Father of our Lord Iesus Christ, be all dominion, power and glory, now and for euer. Amen.

A TREATISE OF SINGLE COMBATE.

Wherein is disclosed this question,

Whether it be lawfull for Christians to discide a difference or controuersy by single combat, or not.

LONDON
Imprinted by *Iohn Wolfe*, and are to bee sold at his shop ouer against the great South dore of Saint *Paul*.
1591.

A TREATISE OF SINGLE COMBATE.

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1593.

A Treatise of single Combat.

Chapter I.

Whether a King or Soueraigne Prince may with a safe conscience grant the combat.

The first question, touching the single Combat, that is, betweene two men, to the end to diside and end any matter in controuersie, is this: whether the King or soueraigne Prince may grant and accord with safe conscience the combat. I say and hold, he may not, and proue it by these reasons.

First, because ỳ affection of the King or Prince, who granteth the combat, can not bee good and right, but contrary to charity and to the deuoire of iustice and equity: For either hee hateth both the combatants, or he loueth them both, or else he loueth and hateth the one more then the other. 1 reason.

If he hate them both, ouer and besydes that he is a murtherer in his hart, hee doth not well to make them away by such meanes. For if the Prince be ordained of God, but to minister and execute lawe and iustice, and cannot put to death any but those whom the law condemneth to die: and moreouer, if it bee not lawfull to reuenge his owne quarrell, not by the way of 1 Iean. 3. 15.

iustice, (for that the law saith) that a Iudge cannot be Iudge in his owne cause: how shall it then be lawfull for him to reuenge himselfe by the way of combat, wherein the innocent and the faulty person are both alike exposed to the danger of death?

If he loue them both, yet is he cruell towards them, in that hee doth not by his absolute authority, or else by arbitratours make some agreement betweene them, and take vp the matter: seeing it cannot be but a matter of certaine deedes or wordes, thwarting the one or the other to their discontentment: whereof the foolish world thinketh, the point of honor and reputation of every man wholly dependeth.

If he loue or hate the one more then the other, it cannot bee but that he be transported with some particular affection & passion. For who soeuer should sound the depth of his hart, might well auouch that he would neuer grant the combat, but vppon hope, that he whom he affectioned most should get the victory. The contrary whereof falleth out for the most part, as we see daily. Is not that then flat against the lawes of charity and Iustice.

2 Reason. The second reason is, because the combat is sometime granted to the great preiudice of the innocent: for considering the Prince is ordained for the common good of euery one, and that by the deuoire of iustice, he ought alwayes to defende the innocent: why doth he then put him in ieopardie of his life, geuing as well to the culpable person, as vnto him, equall weapons, and equall power to kill who can, the other? Is not himselfe in the guilty and culpable of homicide by the lawes? Moreouer seeing the person culpable, hath oftentimes the vppor hand, and preuaileth, and figurally because of his aduantage, if he haue choise of armes before the other, followeth it not then thereupon, that the combat is contrary to the deuoire of iustice?

This reason is alleaged in the Decretals. *De purg. vulg. Cap.*

3 reason. The third reason is, that albeit the culpable be ouercome and slaine, nevertheles in the execution of him the Prince hath gone farre beyond the bounes of iustice. For the deuoire of iustice requireth, that those who are employed for the execution and pu-

nish-

nishment of offenders, should bee void of all hate, and free from all desire of reuenge: in so much that when a Iudge hath condemned a transgressor to die, hee ought not to deliuer him into the handes of such an hangman, whom hee knoweth assuredly to be his sworne and professed enemye, and wisheth in his hart nothing else but to take vengeance of him by executing him to death. Now the Prince that doth accorde and grant the combat, doth he not as much? for to whom doth he deliuer the culpable person to haue his punishment? is it not to the fury and choler of his aduersarie partie, that is innocent: for he may bee assured, that both of them be puffed vp with anger, gnawed inwardly at the hart with enuy, & thrust forward headlong with a longing desire to be reuenged. Moreouer if the innocent chance to kill the culpable, is it not flat against all lawful and right proceeding, that ẏ Prince should make him executioner in his owne quarrell? Then this is no more to bee called iustice, but reuenge. Causa 23. q. 5. de occid.

The fourth reason is, because the Prince would punish him that should be culpable, as it were by aduenture or chance medlie, in respect of the Prince. For although the issue of all combats, as also of all other thinges dependeth vppon God onely: yet so it is, that the Prince, who doth take vppon him to appoint and commaund them, without knowing at all rightly the causes of both, who hath right or wrong, appointeth and commaundeth them by chaunce and aduenture. And I pray you, what else may a man call that, but to tempt God (as the holy Canons affirme, & foolishly and rashly to haue God shew miracles at our appetite. For is it not to tempt God, to attempt by combat to knowe what God will haue done of this man or of that man, cleane contrary to all forme and order of iustice? 4 reason. Causa 2 q. 4. Cā. Mono. & de purg. vulg. cap. 3.

I conclude, that seeing iustice ought to giue euery man his owne, and that it ought not to be administred by chance or aduenture, but with good and sufficient knowledge of euery cause, and by that which we haue already alledged, is sufficiently proued that the combat is against these points: it followeth then that the Prince, who is minister of iustice, cannot with a good conscience grant the combat, to voide any controuersy betweene

C. de Gladiat. l. 1. lib. 11. de purg. vulg. per totum.

two. And that is ẏ cause why it is in expresse and ẏ laine termes defended and prohibited, as well in the ecclesiasticall lawes, as in the ciuill.

Chapter II.

Arguments whereby some maintaine that the King or Prince soueraigne may grant the combat; and the refutation thereof.

FIrst they say, that ẏ king or soueraigne Prince, is a law vnto himselfe and vnto his subiectes, and therefore, because hee will discide and auoide any different in this sort by combat, hee may, and will do it with iustice. I make answere, that the King or Soueraigne Prince is not God, but a man, who ought to confesse and acknowledge himselfe to be but a seruant of God, as the holy Scripture calleth him.

Rom. 13. 4.

It is most true, that whatsoeuer God will haue done is most iust, because it is God that will haue it so: but that which the King or Prince will haue done, if it be iust, it must bee so, before he will to haue it done. For if it bee iust, it is iust not for that he will haue it so, but for that it is iust of it owne selfe, and agreeable to the will of God.

Plut in the life of Alexan.

Anaxarchus (as Plutarcke reciteth) saide vnto Alexander vppon a time being very heauy for the death of his friende Clitus, whom he had slaine a litle before with his owne hands: that Themis and iustice sit as hard by kinges sides, as they did by Iupiters side, to confirm that incontinent, that they thought good of: but it is farre otherwise, for Themis and Iustice sit vppon the toppe of Kinges heades, to punish them if they violate the maiesty of their lawes. Therefore farre vnbeseeming kinges and Soueraigne Princes is that tyrannicall and effeminat saying of the godwife to her husband in the Po-

et

Of Iuuenall. *Sic volo, sic iubeo, sit pro ratione voluntas*: i. So I will, and so I commaund, my will shall serue for law and reason. Iuuenal. Sat. 6.

Secondly they say, that God doth direct and guide all things to their right end, and that he that is vanquished, should be vanquished, as hee that is also victor, should also bee victor. I answere, that here we do not speake of the secret counsaile of God, but of that which God hath of his owne will reuealed vnto vs in his word. For albeit that God disposeth & gouerneth all things, and that nothing bee done against his will: yet so it is, that hee hath prescribed certaine rules in his word, and especially for the order of iustice, within the irreuocable limits whereof, hee bindeth and commaundeth vs to containe our selues: otherwise the enormell crymes and vyots, as are priue and wilfull murders, robberies, empoysonings, incestes, parricides, rapes, and all kind of treasons shall be excusable by this reason, that God guideth and directeth all things to their right end, and that nothing is done against his will.

They say moreouer, that the Prince cannot, nor may not take vp the matter betweene these two, nor decide the difference but by the combat. I answere, indeede hee cannot, because hee will not. For what may the matter in controuersy bee? forsooth the one hath spoken some words of reproch to the other, wherein hee hath touched his honour or reputation. And the other hath giuen him the lie: or else the one hath outragiously abused him, in beating or hurting him. And the other will be reuenged of him, & be euen with him, fighting man to man at the sharpe. In summe, the one hath abused and prouoked the other: and the other to maintaine his reputation and honour, hath repaied, or will repay mischiefe for mischiefe, euill for euil, and one iniury for another. In this case why may not the Prince cause iustice to scanne the cause, and commaund them both to referre their controuersie to the iudgement thereof?

They alledge further, that the iudges and officers of iustice can not tell what to do in this case: when hee, who hath giuen diuers words of disgrace and reproch to another, being the accusant saith, and will maintaine for his life, that he hath sayd the

truth. Yet he is destitute of sufficient witnes to proue his accusation to be true: What shall then these Iudges do here? they can not condemne the party accused by the lawes, because it is necessary the accusatour should haue some witnes. I answere that if the Iudges may not condemne the party accused, for that ỹ accusant is able to produce no witnes, yet may they condemne the accuser for a calumniator and a slanderer: for there are many good lawes made for calumniators, sycophants and false accusers, according to their default and offence, to cause them to take heede how they offend therein. And I pray you tell mee, is it but a small crime to take away from a man his good fame and name, the which (as saith Salomon) we ought to set more store by, then by all the treasures and riches of the world.

Lex Corn. de iniur. Lex Corn. de falsis. Iuris cons. D. Cl. Prou. 22. 1.

They reply againe, that the accusant may haue spoken nothing but a troth, and that his accusation being iust, the iudges should do him iniury to punish him. I answere that the accusatour cannot excuse himselfe, but that he is a calumniator, for that he doth cleane against the deuoire of charitye. For if hee haue spoken that which is false, and barbered him with a lie, he is a manifest sycophant, and a malicious slanderer. And therefore deserueth wel to be punished accordingly as the lawes set down. If he sayd truly in his accusation, yet offendeth hee against charity (which couereth the multitude of sinnes) in disclosing that which is secret and vnknowen, and such a one ought to be reputed for an iniurious person, and a backbiting slanderer. For he is not onely to be accompted and holden an iniurious person and slanderer, that falsly accuseth another, but he also that reprocheth a man with any secret fault, to defame and hurt him. And therefore in so much that hee doth accuse him, not of any good meaning towardes him to reforme him, but of an ill will to defame him if he could, he ought to haue such punishment inflicted on him as the lawes haue appointed.

Pro. 10. 12.

L. Si quis a viam. C. de iniuriis. L. Vni. C. de famos. libel.

To conclude, they bringe against vs the famous combate fought by Dauid and Goliah, spoken of in the holy scriptures. I answere them, that it is but one particular example, which may not be drawen in consequence: for God hath raised vp Dauid to execute his iudgement by an extraordinary meane. And besides

besides, it was enemy against enemy, for the seruice of all the common people. But it was nothing like these priuate quarrels betweene two men, which liue vnder one and the same policy, and vnder the same lawes, where the Prince commaundeth them to auoide their differente by the single combat, man by man.

Chapter III.

Of the Combat vndertaken by priuate authority.

I Come now to another case, which is: if the Combate be not lawfull when it is granted by the prince or soueraigne magistrate, much lesse is it lawfull, when it is vndertoke by priuate men, without the authority of their superiour gouernour. For all vengeance taken by priuate authority, is condemned, as a thing contrary to the profession of Christians.

Yet the Combat wherein second part-takers are admitted, is lesse tollerable, and farre more vniust. For what equity is this: A man prayeth his friend to call one to the combat with a second: he accepteth the combat, and desireth a friend of his to second him: his friend agreeth to be his second. It falleth out often that both these are friendes, and peraduenture of kinne, or else allianced by bloud. Notwithstanding all this, they must needes fight, without any respect either of amity or affinity: and such is the ill lucke oftentimes, the one killeth the other, or else both of them, the one killeth the other before they goe from the place. By what law of God or man may this combat be iustifyed? What apparence of equity may one see in this? but that it is manifest that all priuat reuenge is forbidden and condemned, as contrary to the vocation and deuoire of christians: see here the reasons.

First y God doth forbid it: Thou shalt not kill, so saith his Law: and S. Paul saith: Auenge not your selues, but rather giue

1. Exo. 20. 13; Rom. 12. 19

giue place vnto wrath: for God hath said: Vengeance is mine, and I will repay.

2 That we cannot be admitted to be Iudges in our owne cause; for that we being blindfolded with a certaine philauty (which is naturally in euery man: that is to say, with the loue of our selues) we should be partiall in iudgement, and iudge the right still on our sydes, and the wrong to our neighbour.

3 That the impatience (which is in vs, and the choler which doth dominate and beare rule in vs, doth let and distemper vs so much, that we cannot keepe a meane in the vengeance, that we would take of him that wrongeth vs. This reason is alledged by Tertullian in his booke of patience. One said, that choler serued sometimes in stid of weapons to vertue and valiancie. But another made answere, that it was but a mad kind of weapon, and newly found out: for wee can fitte other weapons, but this fitteth vs. Our hands handle other weapons, but this handleth our handes: we possesse other weapons, but this possesseth vs. Therefore one of the Catoes said very wel and wisely, that anger or choler did blind much the vnderstanding, that it could not discerne & know the verity of any thing; and did let it so much, that it knew not how to keepe a meane in giuing any chastisement or punishment to any body. And that was the reason why Charillus the Macedonian said vpon a time to one Elote, who behaued himselfe too too sawcely and irreuerently towardes him: by the Gods (saith he) if I were not angry I should kill thee now presently.

4 That vengeance appertaineth vnto God only. Vengeance is mine (saith he) and I will repay. Therefore it followeth, that whosoeuer doth reuenge himselfe, committeth sacrilege, appropriating vnto himselfe that, which belongeth by right vnto God himselfe.

5 That seeing the wrong that our neighbour doth, happeneth not without the prouidence of God, it is not lawful for vs to resist and withstand it by oblique and sinister meanes, and such as displease God. See what Dauid did: *2. Sam. 16. vers. 5. &c.*

6 That the prayer, that our blessed Sauiour Iesus Christ hath taught vs, is contrary to all vengeance. Pardon vs (say wee

vnto

vnto God) as we pardon them that treſpaſſe againſt vs.

What ſay we there elſe, but that we offer him vp our ſoules voide of all rancour and vengeance?

But if it be not lawfull for the ciuil magiſtrat, to put to death the tranſgreſſor, without giuing him before ſome time and leiſure to repent himſelfe, for feare leſt hee deſtroy the ſoule with the body: how ſhall it be lawfull for a priuate man to reuenge himſelfe of his neighbour, by endangering vpon a ſodaine both his body and ſoule? If he who hateth his neighbour be a murtherer, how ſhall not he be one, that hating his neighbour, liſteth vp his hand to be reuenged of him?

But if he kill him outright, that is the greateſt offence of all, for the miſchiefe is marueilouſly aggrauated. Who ſo ſheddeth the bloud of a man (ſaith the Lord in his law) by man ſhall his bloud bee ſhed alſo. Likewiſe: Yee ſhall take no price for the life of the murtherer, who is wicked, worthy to die, but let him die the death. And a litle after: See that yee pollute not the land wherein you dwell: for bloud defyleth the land, and the land can none otherwiſe be cleanſed of the bloud that is ſhed, but by the bloud of him that hath ſhed bloud. And in the Goſpel. All they that ſhall take the ſword, ſhall periſh with the ſword. And againe: If any man kill with the ſword, he muſt be killed with the ſword

Gen. 9.4. Num. 35.31 Mat. 26.52. Apoc. 13.10

But ſee, here is a ſaying more fearfull & horrible then theſe: The murtherer ſhall not inherit the kingdome of God.

Gal. 5.21.

And as for him, who is ouercome in combat, and ſlaine, what braue and noble reſolution will excuſe him? The Death of Cato Vticenſis (no diſpleaſure to the iudgement and opinion of ỹ popular) who made a hole into his owne belly with his ſword, and pulled out his bowels with his owne handes, to the end hee would not fall into his enemy Cæſars hande, cannot be excuſed by the word of God, the onely rule of our actions (no diſpleaſure alſo to companies of luſty cutters and ſwaſhbucklers, that follow our fence plaiers) hee that loſeth his life in a ſingle combat for his owne quarrell, and to pleaſe and ſatiſfy the motions of his owne mind, is no more to be excuſed, then the other was: for all taſt of vertue is taken away from that action, neither can

it be named by the title of magnanimity and constancy.

Plut. in the life of Iul. Cæsar.

One demaunded Cæsar vpon a time, what death he thought the best to bee desired: That which is best thought of before (saith he) and the shortest. But the Christian may not altogether allow this answere. For if we haue not leisure to thinke of our death earnestly before hand, and with a perfit mind, and stedfast vnderstanding to looke it full in the face, euen then when it commeth neere vs to strike vs: with what conscience can we resolue to receiue it, when it commeth vppon vs indeede? Now these which dye in combate, hauing their minde purposed and bent to reuenge, to kill and slay, hauing their deaths blowe on a sodaine, so farre are they from hauing any leisure to premeditate of their death, as contrariwise they are eger and hasty to cast themselues headlong into the nets of death, euen as a man should runne blindfold into the sea.

So, I haue alledged reasons sufficient against priuate reuenge, the which is more agreeable to ỹ nature of brute beasts then of reasonable men, For brute beastes be destitute of reason, to prosecute their right, and haue no superiour to do them iustice: and to this purpose did Socrates answere a clowne, that in his anger had stroke him on the foote. If I were an Asse (saith he) I should kicke against thee. Moreouer how many troubles hath this desire of vengeance in it selfe: what paines and vexations doth it require of vs: How miserable is the thirst of reuẽge: how hurtfull is the atchieuing thereof: She maketh thee take no quiet rest in thine house, and thou hast no assurance to bee in the fieldes: shee tosseth thee with continuall cares, she tormenteth thee with ten thousand feares, shee carrieth thy iudgement and reason cleane out of their proper seats, and playeth the tyrant ouer them. When thou thinkest thy selfe safest, then shee threatneth thee most: shee is importunate with thee, she gnaweth thee to the hart, she deuoureth thee. Why then dost thou suffer her to harbour in thy breast: why dost thou giue place to her violence, to incurre thy finall distruction and vndoing, thou deceiuest thy selfe if thou thinke by her meanes to atchieue any honorable or vertuous act. The honour that is woone by her, hath an ill grownd, and that vertue should be vaine, and of small

accompt

accompt, that taketh recommendation from so vile a passion of the mind. Wise men haue alwayes set before themselues more iust actions to purchase and winne their honour, and to be witnesses sufficient of the praise of vertue.

Honour is a thinge too pretious, and vertue a thinge too noble of it selfe, to depend of a superfluous humour, so base and villanous, as the desire of vengeance is.

Chapter 1111.

The reasons of those that iustify the combat vndertaken by priuat men to bee lawfull, and the refutation thereof.

BVt thou wilt make answere, and say: this man hath iniured and prouoked me first, and therefore must I needes call him forth to bee reuenged of him, and to bee euen with him. I answere thee with that, that our Sauiour Iesus Christ hath said: that we should not requite euill for euill, nor one iniury for an other. But to the contrary: loue your enemies (saith he) blesse them that curse you: do good to them that hate you, and pray for them which hurt and persecute you. be of a pacient mind (saith S. Paul) forbearinge one another: If any man haue a quarrell against another, as Christ forgaue you, euen so do ye. And S. Peter saith: Iesus Christ hath suffered for vs, leauing vs an example that yee should follow his steps, which did not sinne, neither was there any guile found in his mouth, who when he was reuiled, reuiled not againe: when hee suffered iniury, hee threatned not, but committed the vengeance to him that iudgeth righteously. By these commaundements, and by this example of our Sauiour Iesus Christ, patience and sufferance is straitly enioyned vs, and all priuate reuenge absolutely and ex-

Mat. 5. 38.

Col. 3. 12.

1 Pet. 2. 21.

prestly forbidden.

Thou sayest that this man or that man hath first provoked and injuried thée. I allow that to be true: but wilt thou do mischiefe as well as he? For as Tertullian saith: what difference is there betweene the first provoker and the revenger, but that the one beginneth to do mischiefe, and the other followeth by and by. Dion was resolved in that matter: his friendes upon a time exhorted him to be revenged on Heraclides and Theodetes, of whom hee had received same injurie: But he made them answere. It may not be, that Dion by choler staine his vertue. True it is, the lawes of men say, it is more iust to be revenged of an injury offered, then to offer an injury: albeit nature it selfe sheweth that both do proceede from the selfe same infirmity.

Tert. lib. de patient.

Plut. in the life of Dió.

I say moreover, that those which take revenge, requiting evill for evill, doe redouble the mischiefe, and (as Origines saith) do sinne more grievously then they, who were the first provokers. For it may be that the first provokers have offended by inconsideration and unawares, either not knowing, that the hurt or injury that they did, was hurt or injury, or not knowing that it was so great and haynous as it was: which they, that to be revenged do mischiefe, by no meanes can pretend.

Thou obiectest yet, that the combat is still used now adaies amongest them who follow the warres, and make profession of armes. Custome and time have brought it to this passe, thou saiest. I answere, that the matter is not alike in combat, as it is in money or coine, in the putting away whereof, we care no more for the weight and valour of the péece, but every man taketh it for so much as it is current, according to the common valour and approbation thereof, we speake no more of the value, but of the vse. But what if in Lacedemonia it be lawfull to picke and steale: shal it be then well done to picke and steale? In Germany and in Switzerlande they vse very much drunkennes: tis honest then for a man to be drunken. At Rome & in diuers other places, where the common stewes are yet suffered, the custome & vsage permitteth vnchast women to make marchandize and profit of their owne bodies, and suffereth men

to

to be naught with them. Therefore whoredome may not bee condemned. But I say, that nether vse nor custome, nor time can cut of or derogate any thing from the lawes of God: but they all aggrauate the offences and sinnes of men. No vse may giue any scope or liberty to men to offend, for that were an errour, and he is farre deceiued, who to reigle himselfe well, regardeth what is accustomed and wont to be done, and not that which ought to be done. So also ther is no proscription of time able to iustify those, who violate the lawes. There is no appealing to the time: vices are in men, and not in the times and seasons.

To what ende then sayst thou, do I carry my sword at my side? Thou mayst weare thy sword at any time, either in time of peace, or in time of warre, not to reuenge thyne owne quarrell: for thou art no magistrate, but to helpe the magistrate to gouerne and rule the countrie in peace, to repulse the enemy, to stop his incursions, to keepe him from robbing and spoiling the Countrey, to chase away and banish vices farre from thy countrie: in summe, to defend and maintaine godlines, law, iustice, and the common weale. If thou be a good Christian, doth thy sword any thing at all dispence with thee, from doing the deuoire of good christians? doth it giue thee any greater priuiledge, then it doth to the marchant or artificer, who carry it not to abuse their vocation;

Thou wilt say then, mine enemy hath called mee forth to haue a blow or two with me, and to fight with me. I answere: if thyne enemy will distroy thee, wilt thou destroy thy selfe also? if he will offend God, wilt thou offend God as well as hee? he calleth thee forth to kill thee, and thou wilt goe forth to kill him. If he called thee forth, to goe both together to cast your selues downe headlong from the top of a tower, or of a bridge into the water wouldest thou follow him, or goe with him? rather considering him to be mad, furious, and out of his wit, and thy selfe to be wise and wel aduised, shouldest thou not take heede of the danger wherein he casteth himselfe wilfully? For knowest thou not that the danger of one man, proceedeth commonly from another man. Thinke then (saith Seneca) of the danger Seneca epi. 104.

that may befall thee by a man. But thinke also of that deuoire whereunto nature doth bind thee. Thinke of the one, to the ende thou bee not offended: and thinke of the other to the ende thou offend no man. In the Combat there is as much occasion to stand in feare as in hope. The very apprehension of fight doth trouble a man meruellously. It maketh a man chafe and fret, it maketh him tremble and quake, it maketh him looke pale and wan, it maketh him blush and cry out in his imagination, to thinke of the blowes he shall abide, and of that which shall chance unto him.

Cast not then thy selfe headlong (saith the wise man Cleobulus of India) into danger, but before thou dost hazard thy selfe, regard the end, and see how thou mayst escape it.

Of the point of honor and reputation.

But mine honour and reputation, saith he, lyeth upon it: if I goe not out with him into the field, I shall be counted but a coward. Here the vaine glory of man, which is a malady in him naturally and originally engrafted, sheweth her selfe signally, what shee is. For (as Epicterus saith) man hath nothing of his owne, but the vse of his ambition, pride, and of his other passions: a strange case. Man is the weakest, and the most miserable creature of all other, without the feare of God: and yet (as Plinie saith) the prowdest and the fullest of ambition. If thou wouldest say but unto thy selfe, the least thought of that which is in thy soule regenerated, or the least of that which remaineth yet whole and sownde in thy nature corrupted, which cannot altogether be effaced and blotted out of thyne understanding by sinne, thou wouldest satisfy thy selfe in these thinges, and say as the Poet: *Video meliora, proboque deteriora sequor*, i. I see the best, and allow of it, yet I follow that which is worst. This vice is naturally rooted in vs, but let vs amend it by the vse of reason: as Socrates, who confessing a fault, that some found in his phisiognomy, sayd: It is indeede my naturall inclination, but I have corrected it by philosophy.

Touching the rest, I say first, that it is great maruell, that this point of honor (which in this place is but a vaine and light opinion, inuented by the Deuil) hath found place among so many good and honest men, and that Kinges and Princes allow of it: for (no displeasure to their maiesties, and excellencies) they wrap themselues in a great contradiction. For if a man be called to the field to fight with another, and kill him, the King shall not suffer him to liue, vnlesse he giue him a pardon: and yet if he do not goe to the field, the King shall count him a coward, and his honour shall be thereby empaired. But how can these things agree? For if he haue done an honourable act, what needeth he any pardon? or if he haue neede of a pardon, what act of honor hath he done? Is not this a plaine contradiction, that if a man take the lye of another, or suffer any other iniury, he should by and by, by the King, according to the benefit and law of armes be degraded of his nobility and honour: and yet if hee reuenge the matter, the same king by the ciuill law shall inflict vppon him sentence of death? what a pity is this? Goe to the lawes to haue iustice for an offence committed against thyne honoure, & they shall tell thee, that thou dishonourest thy selfe. Go to armes against the lawes, they shall tell thee, that thou oughtest to be punished by the lawes. What iustice is this? what policy is this? In one and the very selfe same thing, by and by the lawes must giue place to armes, and by and by armes to the lawes. Here may one fully perceiue the inconstancy of men, concerning their sundry iudgementes and foolish fantasies: much like to the Cameleon, which changeth colour in euery place that it commeth vnto: or much like the Wone of whom the poets faine, that vppon a time she desired her mother to make her a garment, that might be fit for her, and handsome for her body. How can that bee Daughter (saith his mother) seeing thy body keepeth neuer at one state, but it is so variable, that it changeth euery day.

Secondly, thou sayst, thyne honour is lost if thou do not go out into the field to meete thyne enemy. And is not thy conscience lost also, if thou do goe forth? Demosthenes had a wise saying: that the beginning of euery vertuous act, is consultation

and deliberation, the progresse or going forwardes, is magnanimity and constancie: the end and perfection is praise and honour, with tranquillity of mynd and conscience.

Life indeede is a death, if the honor or good name be lost. But thou mayst not take the shadow for the body. Thyne errour proceedeth of the too great force and vehemence of selfelove, that thou beareſt to thyne owne imaginations: as the Poets faine Narcissus to haue bin rauished with the loue of his owne shadow: and so was Pygmalion ouercome and troubled with the impression of an Image of Ivory, that he fell in loue with it, as though it had bin aliue.

Tell me, wilt thou liue in honour? liue then like a good christian. Wilt thou make knowen & eare thou hast of thyne owne credit, and after this life make thy selfe famous in the mouth of many? Endeuour then that thy fame fly no further, then the vertue and good report thereof be spread, and may carry it: and that it remaine for a memoriall and example to the posterity, to be woone in the feare of God: and do not as Trogus Pompeius speaketh of one Herostratus: & Titus Liuius of one Manlius Capitolius, who were desirous of great fame and honour for their naughty deedes.

Cursed is that honour and fame. Thou mistakeſt the matter in taking dishonour for honour: and so doth thy poore soule deceiue her selfe, in imagining and representing to her selfe a false and fantasticall obiect, euen against her owne conscience, if she would say the truth. For a staffe be it neuer so streight, seemeth croked in the water: and the sound of a Trompet which we thinke is before vs, commeth a quarter of a mile behind vs, by the reuerberation of the aire neare vnto a forrest: so also all that glittereth is not Gold. And vertue alwaies hath the one of his two extreames, with the which she hath more conformity and resemblance, then with the other: and therefore the Poet sayd true, That vice doth deceiue vs by the apparence and shadow of vertue. So then when the question is of the point of honour, we ought not to speake of it, nor estimate it after our owne iudgement and opinion, but according to that which is in it selfe, and in it owne naturall.

Iuuenal. Sa. 14.

For

For that which men imagin for honour in this respect, is like the Atomes of Epicurus, the Ideas of Plato, and to the numbers of Pythagoras: which are things too uncertaine, and need great dispute to proue them. To take this for honour, is to feed of the aire or of the wind: as those, whom Plutarch reporteth to be in a certaine place of India, who haue no mouth at all, but feede and nourish themselues with smelling of certaine sweet odours. There is the name of the thing, and the thing it selfe: and the name of the thing is no part of the thing, nor any part of the thinges substance. The name, is but a voice which doth comprehend in it oftentimes that which cannot be attributed to the thing.

Dost thou call it honour, to do that which God forbiddeth thee? is it not thyne honour to obay God, and thy dishonour to disobay him? If thy lawfull Prince prohibit thee any thing vpon iust occasions, and for good reasons, wilt thou not then say: myne honour bindeth mee not to do it, for that the King hath commaunded mee the contrary? Wilt thou then make more account of men then of God? God forbiddeth thée to reuenge, and thou sayst, thy good name, that is, thyne honour is taken away, if thou no not reuenge. God forbiddeth thée to kill thy neighbour: and thou saiest, thine honour is lost, if thou do not kill him. A manifest falsehod, and imposture of thyne owne foolish opinion.

There is nothing more honorable for a Christian, then to bridle and keepe vnder his owne passions by reason. This is no dishonour nor discredit not to bee able to do that which a man would. But it is both dishonour and discredite to be willing to do that which a man ought not to be willing to do: and yet the greatest dishonour that is, is to doe that which God and his lawes forbid.

But, saith another, they will cast in my teeth, that I am afeard of death, the which waiteth for me, either there, or in another place: and I shall be esteemed a very Poltron and a coward, if I seeke not to reuenge the wrong that hath bin offered me. I answere first to this, that to put a mans selfe in no danger, where occasion of danger is, is to be no lesse then Pirrho

the Philosophers hogge was, who looked on the whirlewinde and tempest in the sea, without any whining or noise at all: or else to be as wise as Pirrho himselfe was, whom Laertius and others picture out to be very blunt and blockish, of a brutish and sauage life, refusing to liue vnder any law, without any vnderstanding, who would stay till chariots ranne ouer him, and offer to cast himselfe downe headlong from the toppe of any high place. Agesilas (as Plutarke reporteth) was wont to say in his priuy deuises, that iustice was the first and chiefest of all other vertues, and that prowesse was worth nothing, if it were not accompanied with iustice.

Valiancy hath her limits, as other vertues haue, the which if thou once ouerpasse, thou shalt straight finde thy selfe in the path of vice. In very déed thou oughtest not in any wise to feare death: for God forbid that we should feare death, which bringeth vs so great benefit, that it maketh vs frée from all feare: and although it be most true, that thou canst not tell, where it attendeth thée, but that therefore thou oughtest to attend it euery where boldly, without all feare: yet oughtest not thou to runne headlong without any regard of thyne estate within the compasse of his sickle, nor making way for thyne anger, to runne after it, and wittingly to bring thy selfe in danger. Thou oughtest to waite for it indéed, but not to preuent it. In the first there is resolution and courage, in the second temerity and desperatnesse.

Then they will obiect, saiest thou, that thou art a dastarde and a cowarde. Cowardize indéede according to the lawes of Charondas, doth merit to be punished by shame and ignominy: yea with death it selfe, by the lawes of Gréece and of Rome, when it is cause of any great preiudice: as if in warre any captaine should turne his backe to his charge, or runne away the same time, when the battell is to be giuen. And moreouer if he giue vp for feare any place that is assieged, that may by the rules of warre be kept well ynough, but it is another matter, not to be willing to reuenge any priuat iniury or quarrell. That ought neuer to be imputed to cowardlines, or to pusillanimity. yet, thou wilt say that some will say, it is. But who is he that

will

will say, it is: Men. But what men: not honest and vertuous men, and such as feare God, but men of this worlde. Euery thing hath in it some good or euill, for the which it is esteemed good or euill. The goodnes of euery action is that which proceedeth from vertue. The ill contrariwise, that which commeth from vice. An action then ought to be esteemed good and lawdable, when it is vertuous: and contrariwise euill and blameworthy, when it is vicious: for there is none other good but vertue, and none other euill but vice. In so much that the vertue is straitly commaunded by God, and the vice absolutely defended. And there is great reason why we should esteem all that which God commaundeth good and vertuous, & all that which he defendeth euill and vicious without climbing any higher. For it is he who hath put a differēce betweene good & bad, betweene vertue and vice, and hath engrauen a certaine generall knowledge and notice in the iudgement of man euer since his creation. And therefore it followeth that, that act is good and vertuous, because it is conformable to the will of God. And this act is euill and vicious, because it is repugnant, and contrary to his will.

Let then the world speake hir mind, and make what foolish estimation of honour that shee will: for the worlde is impure, wicked, and altogether giuen to mischiefe. And therefore esteemeth and valuateth nothing, but that which agreeth and resembleth altogether with her nature, and doth speake well of nothing, according to her thinking, but of that which simpathizeth with her manners of doing. Her reason, or rather apparence of reason, which she faineth to haue in her selfe, halteth alwayes, is croked many wayes and cleane without all square or compasse, hauing little truth ioyned with it, or rather none at all: and alwaies, or for the most part, accompanied with lies and tales: And is as the leaden instrument called *regula Lesbia*, which may be applyed, and made serue to measure any thing that a man can deuise. Demetrius was wont to say, that hee made as little accompt of the wordes of the ignorant, as hee did of the wind that commeth from the body: for what neede a man passe (sayth hee) what the prattle of the vulgar is, babble

they know above or from below. Let it suffice thee to be assured of God, & of those that feare God, who can iudge of thine actions, and of all others by the word of God: For nothing is worthy of praise, or blameworthy, but that which is approved or reproued by God. And his iudgement that is not here planted and setled in Gods word, deceiueth him much: and in stead of true honour bringeth forth to his minde monsters and fantastical Chimeres, where nothing is to be had but meere illusions, and lying images of true honour.

Chapter V.

Remedies against single Combat.

HEtherto wee haue but opened the soare: now we must seeke some remedies for it, if it be possible. Now the remedies against Combat in mine opinion ought to be taken partly of priuate men, and partly of chiefe gouernours, and ciuill Magistrates. As for priuate men, we know there are some so active, and of such a boyling nature, and such that loue quarrelling and brawling so well, that at the perill of their owne saluation, they vtterly contemne the vse of all vertues, which helpe to bridle and moderat the boyling force of their immoderat passions. As it is reported of a certaine fellow, that would not haue his phisition to take away the alteration of his Feuer, to the end he might not loose the great pleasure he tooke in drinking and bezeling. This opinion that a man hath commeth from a sauage humour, vagrant without any bridle or stay in his spirit, who hath none other stirring and moouing in it selfe, but euen as the senses and humours of the body carry him. But as he that loueth the health of his body, being in perfect health, doth take great pleasure to practise the rule & regiment of health, that ye skilfull phisition prescribeth him, to ye end, that he might keepe and maintaine himselfe long time in health: euen so hee

that

that he that loueth that his soule be well reigled and gouerned, and he that hath well ordered and guided it, as a man vertuous & wise doth take great delight in the precautions and meanes that he hath learned, to preserue and keepe it from falling into vice.

I say then to priuate men, that make profession of armes, that they banish out of their hart all ambition and pride. For this plague is the onely cause of quarrelling and brauling: for as a certaine Romane said, it is the nature and property of the ambitious man to contemne men of simple and lowe estate, to enuy those of higher and greater condition, and to agree and liue in charity with none of his equals, men of as good quality as himselfe. Let priuat men then be purged and cleane void of this vice of ambition: let them bee meeke, courteous and gentle towards euery man, and in no wise opiniatrous nor quarrellous. Let them be carefull to keepe vnity and concord of mind, by the band of peace: let them do nothing by strife or vaine glory: but in humility of hart let euery man thinke better of another then of himselfe. Let them be charitable, for charity swelleth not. Let them put the Salt of discretion in their wordes, and weigh them well before they vtter them. Let them liue in good amity and brotherly charity one with another: for as the Orator sayth, Concord maketh little thinges grow and encrease, and discord plucketh all quite vp by the roote, and bringeth by and by great and mighty thinges to naught: and in this concord, as saith our sauiour Iesus Christ consisteth the preseruation not onely of whole families, cities prouinces and earthly kingdoms, but also of the Church which is the house and family of God.

Planchus Numatius scholar to Cic.

Eph. 4.3. Phil.23.

Rom. 12.10 1 Cor. 13.4. Col. 4. 6.

Salust in Iugur.

Mat.12.25.

And because the deuill is very subtill to sow dissentions among men, let them not moue themselues lightly one against another, for euery small wrong or iniury that is offered them. Let them be patient, ready to forgiue, and ready to suffer wrong and iniury, without any desire or thirst of reuenge, because they are Christians, and ought to follow the example our sauiour Iesus Christ. But if the worst fall out, let them haue recourse to their superiours, and prosecute their right by such way of iustice as is ordained for them by Gods almaies prouided, they do it not,

not to seeke any vengeance, and pretend not to vse the Magistrate, as an instrument to execute their wicked will. For it is the deuoire of the Magistrate to preserue the honour and good name of his subiectes, as well as their goods and liues, as witnesseth the holy Scripture.

Rom. 13.3.
1 Pet. 3.14.

See here is the summe of that I had to say of the first remedie of Combat concerning the part of priuat men. The second remedy toucheth Princes and Rulers. It is, that they imploy their authority to take some speedie order for this dangerous mischiefe. It is euidently seene, that the pleasure that diuers take, their nonchallancy, fault of knowledge, and lacke of conscience hath caused them to grant this excesse to great fighters and fray-makers, to let them put in a foote with them, to holde them vp by the chinne, and to haue secret intelligence with thē in the practise of this combating: so that the superiour gouernours haue of purpose giuen ouer their authority to the inferiour magistrates, because they would not vse it in this matter their owne selues: and the inferiour haue vsurped this licence to abuse the swordde of iustice, in treading vnder feete the right of their superiours.

It is then first of all needfull that Kinges and soueraigne Princes bridle their subiects, for their benefyte and good in common, and that they make strait decree vppon this matter, according to law and iustice, forbid vpon grieuous paines this excesse of single Combat, so vsuall nowe adaies: and that they cause proclamations to be made through all places of their dominions, to the ende no man pretende hereafter any excuse or cause of ignorance: or if they haue once so done already, yet that they do it not once againe, & commaund all their Officers, & namely all their chiefe Captaines of war to lay their handes to the execution of this their ordinance. If they do thus, they shall deserue great commendations, and honour, doing much for the benefyte in common.

Plutarcke prasseth Flaminius, for that hee being horne to commaund, knewe not onely how to commaunde according to the lawes, but also the lawes themselues, when common necessity should require. And who doubteth then, but honest & vertu-

ous people do praise our Kings and Princes, when for the common vtility and the benefite in publike, they shall commaunde according to true lawes and iustice, against that which is falsly and against all reason tearmed the law or deuoire of warre, and armes in this matter of single Combat?

Secondly, that as Christian Princes, and such as are furnished with members about them fit for their dignities, discourse themselues priuatly and publikly when there shall fall out any matter to be discided by combat, against the combat, blaming and reprehending it, and shewing that they do not allow of it in any wise, and that it is a very foolish thing for those that make profession of armes, to thinke that their reputation, their valour, their noblenes, their resolution, their stowtnes of cowrage: and in summe the point of their honour consisteth in this lawlesse and wicked practise of single combat. And then when the other shall knowe and vnderstand fully their opinion in the matter, they will willingly agrée vnto them to bee of the same mind with them. For so it is, the inferiours alwayes conforme themselues to the manners and opinions of their superiours.

Thirdly, that the chiefe captaines of warre be more carefull then heretofore they haue bin, to make diligent enquiry of the state and behauing of their men at armes and souldiers: and if there arise any strife or difference amongest them, that by and by, as soone as they can, they seeke to appease it: and if they can not by reason of some difficultnes, that they shall find, that they commaund and charge them vpon paine of death not to dispute any further, or meddle any more in the matter, vntill they haue taken further aduice by assembling some greater nũber of Captaines that feare God: for there is no difference, bee it neuer so great, but among Christians by the word of God & good lawes it may be discided, and auoyded well ynough without euer combatting for the matter.

If these medecines be applyed to this so dangerous and mortall a disease, we may hope that ẏ ayre of our France shal quickly be purged. True it is that they will seeme somewhat bitter to diuers, and of a very sower tast at the first. But the bitternes hath his circumstances, that serue to the operation: and you